



Planning Commission Agenda

Special Meeting of September 22, 2014
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

Welcome to the Planning Commission meeting. The National City Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

Roll Call

Pledge of Allegiance by Garcia

Approval of Minutes

1. Approval of Minutes of the Meeting held on September 8, 2014.

Approval of Agenda

2. Approval of Agenda for the Special Meeting on September 22, 2014.

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.



The Planning Commission requests that all Cell Phones and Pagers be turned off during the meeting.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

PRESENTATIONS

OTHER BUSINESS

PUBLIC HEARINGS

3. Continued Public Hearing – Modification of a previously approved Tentative Subdivision Map and Consistency Review for “Park Lofts” located at 1509, 1531, 1535 National City Boulevard and 49 E. 16th Street. (Case File No. 2012-03 S, DSP).
4. Resolution 20-2014 taking action on a modification of a previously approved Tentative Subdivision Map and Consistency Review for “Park Lofts” located at 1509, 1531, 1535 National City Boulevard and 49 E. 16th Street. (Case File No. 2012-03 S, DSP).
5. Public Hearing – Conditional Use Permit and Coastal Development Permit for a fiberglass manufacturing business (McCallum Surfboards) located at 3101 Hoover Avenue. (Case File No.: 2014-12 CUP, CDP).
6. Resolution 21-2014 taking action on a Conditional Use Permit and Coastal Development Permit for a fiberglass manufacturing business (McCallum Surfboards) located at 3101 Hoover Avenue. (Case File No.: 2014-12 CUP, CDP).

STAFF REPORTS

City Attorney

Executive Director

Principal Planner

Commissioners

Chairperson

ADJOURNMENT

Adjournment to next regularly scheduled meeting on October 6, 2014



Planning Commission Minutes

Meeting of September 8, 2014

Planning Commission Meeting
City Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

Agenda Items

The meeting was called to order by Chairwoman Pruitt at 6:01 p.m.

Roll Call

Commissioners Present: Garcia, Baca, Bush, Pruitt, Alvarado, Flores, DeLaPaz

Staff Also Present: Deputy City Attorney Jennifer Knight, Executive Director Brad Raulston, Principal Planner Martin Reeder

Pledge of Allegiance Presented by Commissioner Dela Paz

Approval of Minutes

1. Approval of Minutes of the Meeting held on September 8, 2014.

Motion by Baca, 2nd by Alvarado, to approve the Minutes from the meeting of September 8, 2014.

Motion carried by the following vote:

Ayes: Garcia, Baca, Bush, Pruitt, Flores, Alvarado, Dela Paz

Approval of Agenda

2. Approval of Agenda for the Special Meeting on September 22, 2014.

Motion by Alvarado, 2nd by Bush for approval of the Agenda for the meeting of September 22, 2014.

Motion carried by the following vote:

Ayes: Garcia, Baca, Bush, Pruitt, Alvarado, Flores, Dela Paz

ORAL COMMUNICATION

Randy Williams and Shaun Schmidt representing the Park Lofts project requested a Special Planning Commission meeting to be held on September 22, 2014 to present their project before the Commission.

PRESENTATIONS:

None

OTHER BUSINESS

None

PUBLIC HEARINGS

3. Public hearing – Conditional Use Permit for beer and wine sales at Aunt Emma’s Restaurant located at 214 National City Blvd. (Case File No.: 2014-10 CUP)

Presented by Principal Planner Martin Reeder

Applicant: Nikos Gelastopoulos, answered questions from the Commissioners and acknowledged he had read, understood and agreed with the conditions of approval as presented.

One speaker opposed to item: Ethan McDonald. Issues with parking, traffic, and crime.

Motion by Baca, 2nd by Alvarado to close the Public Hearing and approve a Conditional Use Permit for beer and wine sales at Aunt Emma’s Restaurant located at 214 National City Blvd. (Case File No.: 2014-10 CUP)

Motion carried by the following vote:

Ayes: Garcia, Baca, Bush, Pruitt, Alvarado, Flores

Noes: Dela Paz

4. Resolution 18-2014 taking action on a Conditional Use Permit for beer and wine sales at Aunt Emma’s Restaurant located at 214 National City Blvd. (Case File No.: 2014-10 CUP)

Motion by Baca, 2nd by Alvarado to adopt Resolution 18-2014 approving a Conditional Use Permit for beer and wine sales at Aunt Emma’s Restaurant located at 214 National City Blvd. (Case File No.: 2014-10 CUP)

Motion carried by the following vote:

Ayes: Garcia, Baca, Bush, Pruitt, Alvarado, Flores

Noes:, Dela Paz

5. Public Hearing – Conditional Use Permit and Coastal Development Permit for a fiberglass manufacturing business (McCallum Surfboards) located at 3101 Hoover Avenue. (Case File No.: 2014-12 CUP, CDP).

Staff requests to continue this item off calendar and reissue Public Noticing to include additional information regarding the Coastal Development component and request the resolution to trail to a later date.

Motion by Baca, 2nd by Flores to continue this item off calendar.

Motion carried by the following vote:

Ayes: Garcia, Baca, Bush, Pruitt, Alvarado, Flores, Dela Paz

6. Resolution 19-2014 taking action on a Conditional Use Permit and Coastal Development Permit for a fiberglass manufacturing business (McCallum Surfboards) located at 3101 Hoover Avenue. (Case File No.: 2014-12 CUP, CDP).

Per item #5, this resolution will be presented at a later date.

STAFF REPORTS

Deputy City Attorney – No report

Executive Director – No report

Principal Planner – No report

Commissioners:

Garcia – No report. Requested to clarify the discussion regarding the Park Lofts request for a special meeting on September 22, 2014. Chair Pruitt will make the determination and advise staff to take direction.

Commissioner Garcia announced the United Way Community Campaign Kickoff Event at UCSD on September 25th and a Spirit of the Holidays Fundraiser on September 18th at Napoleons Pizza from 5:30 – 7:00 pm. Tickets are \$20.

Baca – No report

Bush – No report. Announced SANDAG's Board of Directors meeting on September 12th where they will present the Draft Regional Plan where they will be discussing moving forward the Purple Trolley Line from 2050 to 2035, which will run up Highland Corridor. Commissioner Bush requests staff to invite SANDAG representative to give presentation to the Planning Commission and explain how this will affect National City's General Plan. Commissioner Bush announced a Ribbon Cutting Ceremony at Sweetwater High School Wellness Center on September 10th from 4:00-6:00 pm.

Alvarado: No report. Questioned if the Trophy Lounge is permitted for live entertainment.

Flores – No Report. Request staff to invite Port Commissioner Valderrama to make a presentation to the Planning Commission. Suggested possibly at the same meeting as the trolley presentations.

Dela Paz – No report

Pruitt – No report. Requested staff to invite SANDAG to make a presentation regarding the proposed Euclid Trolley Line.

Adjournment at 6:52 p.m. to next Meeting scheduled for October 6, 2014 at 6:00 pm.

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONTINUED PUBLIC HEARING – MODIFICATION
OF A PREVIOUSLY APPROVED TENTATIVE
SUBDIVISION MAP, AND CONSISTENCY REVIEW
FOR “PARK LOFTS” LOCATED AT 1509, 1531,
1535 NATIONAL CITY BLVD.

Case File No.: 2012-03 S, DSP

Location: Block bounded by East 15th and 16th Streets, National
City Blvd. and Kimball Park

Assessor's Parcel No.: 560-100-05, 06, 07, & 08

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant/Owner: Paradise Creek Holding Corporation

General Plan/
Zoning: Downtown Specific Plan (DSP) Development Zone 13

Parcel size: 1.92 acres

Adjacent land use/zoning:

North: City Library / DSP Development Zone 16

East: Kimball Park / DSP Development Zone 15

South: Auto sales use / CS (Service Commercial)

West: Residential use across National City Blvd. / DSP
Development Zone 12 A.

Environmental review: An Addendum, prepared September 10, 2009, to the
National City Downtown Specific Plan, Final Program
Environmental Impact Report, February 2005, SCH
#2004011110

BACKGROUND

Previous action

A series of meetings were held in 2012, most of which were continuances requested by the applicant. In August of 2012 the Planning Commission continued the item off calendar at the request of the applicant.

Current Developments

In 2012, the applicant proposed reduction of the previously-approved project. As part of the proposal, the applicant asked the City to share in the construction costs related to off-site improvements. There was also discussion related to using a potential (at that time) parking lot to be built where the skate park currently resides. Since that time, the City has committed to building the parking lot as part of the Kimball Park Master Plan, and the applicant is no longer asking the City to share in the off-site construction costs.

The current iteration of the project still includes the reduction of the scope of the project (addressed in "Proposed Used" below), but also includes the omission/modification of conditions related to:

- Paseo Plans.
- Library Parking.
- Public Art Program.
- Green Design.
- National City Transit Requirements.

There are also new conditions proposed by the applicant related to:

- Parking lot construction (proposed Kimball Park lot).
- Parking district/access to the future Kimball Park parking lot.
- Removal of the skate park east of the project.

Site Characteristics

The project site is south of the National City Library. The proposed project site is approximately 83,809 square feet in size (1.92 acres) and consists of four parcels that comprise the block on the east side of National City Blvd. between 15th and 16th Streets. The site is adjacent to Kimball Park to the east. The site has 290-feet of frontage along National City Boulevard, along 15th Street, and along 16th Street. Previous businesses on the block include used car sales and automotive repair (still operating). The project site is located in Development Zone 13 of the Downtown Specific Plan.

Project History

A Tentative Subdivision Map and Consistency Review were approved in 2006 for a 6-story 306-unit condominium building with 334 parking spaces and 3,800 square feet of commercial space. A subsequent approved design in 2008 reduced the project to four stories, 222 units, and 238 parking spaces.

A Street Vacation was processed for the alley bisecting the property and for the southerly 40 feet of 15th Street. The overall right-of-way on 15th Street is 65 feet wide. The street vacation as sought would vacate 40 feet, leaving 25 feet for what was originally designed as a pedestrian walkway, or "paseo". The ordering of the vacation (the last step in the process) was conditioned to be done prior to recordation of the Final Map, which has not yet happened. The street vacation envisioned the paseo for pedestrian access to Kimball Park. Plans for the Paseo have dropped from the proposal, thus the area is proposed to continue as vehicular access. It should be noted that the potential (now proposed) construction of a new parking lot in Kimball Park drove discussions regarding the paseo/no-paseo design.

The intent of vacating the 40 feet was to convert the remaining 25 feet to a paseo and to provide alternative parking measures (to replace displaced street parking) in the library parking lot. Although the paseo has been dropped from plans, the applicant has continued to show the 40-foot wide area to be vacated as being used for development, despite this resulting in the removal of street parking on 15th Street.

Proposed Use

Since the original approval in 2006, the applicant has reduced the project scope due to changes in market conditions. The site has been reduced from 84,100 to 83,809 square feet due to a dedication which will be made to the City. The number of units has been reduced from 283 to 201 and the parking spaces have been reduced to 232 from 327 spaces. There is now only 2,600 square feet of commercial space proposed. The original design was for 6-story buildings; it is now proposed as a series of 4-story buildings.

There are 5 buildings in total. The largest building, Building A, would occupy the front of the project site, spanning the entire frontage of National City Blvd. and about one-third of the 16th Street frontage. This building would consist of 51 residential units (12 one-bedroom; 9 one-bedroom plus den; 30 two-bedroom) on three levels above ground level parking, with a building height of 50-feet. Commercial lease area would be located along National City Boulevard and at the corner of 16th Street.

Buildings B through E would be located parallel and east of Building A, spanning most of the property from north to south, and would also be three levels above ground level parking, with a building height of 50-feet. Each building would be separated from the others by vehicle access ways. There are four driveways proposed from 15th Street and two from 16th Street. The easterly driveway on 16th would be left in and right out only. The westerly driveway right out only.

Building B would consist of 39 residential units (9 one-bedroom; 30 two-bedroom); Building C 45 units (12 one-bedroom; 12 one-bedroom plus den; 21 two-bedroom); and Building D 42 units (21 one-bedroom; 3 one-bedroom plus den; 18 two-bedroom). The smallest building, Building E, would consist of 24 units (18 one-bedroom; 6 one-bedroom

plus den). Project amenities include a 2,270 square-foot interior resident common area located along National City Blvd. on the northwest corner of the building.

Street/Alley Vacation

As previously mentioned, the applicant is proposing that the remaining 25 feet of right-of-way after the street and alley vacation continue to be used as a City street. In order to allow for efficient vehicular access, 24 feet would be needed for two vehicle lanes (one each way). In order to provide this width, the sidewalk on the north side of 15th Street would need to be eliminated and the landscape area adjacent to the library parking lot cut back from eight feet to two feet. Plans continue to show a sidewalk on the south side of 15th Street. In order to provide a landscape buffer between the building and the sidewalk, the building (and property) has been stepped back one foot, thus the reduction in project square-footage. Staff agreed, in principle, to the removal of the sidewalk adjacent to the library parking lot due to the potential parking lot.

Condition modifications

The applicant is also requesting to modify and/or remove five Conditions of Approval related to public improvements for the project. The original language of the conditions is set forth below. The requested changes are in italics.

4. Paseo Plans. The applicant shall submit paseo improvement plans for approval and shall install and construct all improvements pursuant to the approved plans prior to occupancy. The paseo shall be designed to allow ingress and egress of emergency, maintenance, and service vehicles to the adjacent park. Restroom facilities shall be provided if determined to be feasible and desirable by the City. – *Given the dropping of the paseo from their design, the applicant is requesting this condition to be omitted.*
5. Library Parking. The applicant shall submit a parking plan for the adjacent library parking lot and shall install and construct all improvements pursuant to the approved plans prior to occupancy. The plans shall include a second driveway approach on National City Boulevard, and a redesign of the parking layout to create the maximum number of parking spaces feasible. – *Given the dropping of the paseo from their design, the applicant is requesting this condition to be omitted.*
9. Public Art Program. The applicant shall submit a public art program for approval and shall install, construct, or implement the approved public art program prior to occupancy. – *The applicant wishes to amend this condition to allow payment of an in-lieu fee rather than installation of public art.*
10. Green Design. The applicant shall incorporate green design, energy efficiency, waste reduction, recycling, conservation, and sustainable design in the project to the maximum extent feasible. – *The applicant wishes to amend this condition so as to only require compliance with the requirements of the California Building Code.*

17. National City Transit Requirements. The applicant shall comply with all National City Transit requirements, including the listed requirements.
- a) Evaluate the installation of a new bus stop along National City Boulevard near the intersection of 14th Street (Library) or other nearby locations with a shelter, benches, route map and trash containers. This shelter should include an electrical lighting component and at least two CCTV security cameras with a direct feed to NCPD.
 - b) Include this stop (and project) in any evaluation of a Green Car-Community circulator shuttle operation such as under consideration with Revolution R2 (Constellation Property Group) S-2006-6/DSP-2005-1 and Centro (Constellation Property Group) S-2006-6/DSP-2005-1.
 - c) The developer should bear all associated costs to implement any Transit recommendations.
 - d) Submit the plans to MTS Planner Mike Daney (mike.daney@sdmts.com) for his review and comments. – *The applicant wishes to delete this condition as National City Transit no longer exists.*

In addition to modification of the above-noted conditions, the applicant is asking for three additional conditions as follows (analysis of request in next section):

1. The City of National City shall install and construct parking in Kimball Park East of the project. The parking lot will consist of approximately 52 spaces.
2. The City of National City will initiate an off hour permit parking program for tenants at Park Lofts for library and/or park area parking and for the other future apartment lots owned in National City by Paradise Creek Holding Corporation and Library Village South Inc. Park Lofts will require approximately 204 permits with an annual fee of approximately \$14 per year. Please see EXHIBIT A for sample permit program.
3. The City of National City will remove the skate park east of the project as soon as reasonably practical after building permits are pulled for the project.

Analysis

Street Vacation

With a 24-foot street there would be no more room for on-street parking, although the future parking lot to be constructed in Kimball Park east of the project will provide approximately 52 parking spaces, which would accommodate the spaces lost. However, it is not appropriate to use parkland to make up for the loss of street parking.

The original street vacation was based on the premise that the remainder of the street becomes public pedestrian access to the park. Now that this is no longer happening, the 40-foot vacation no longer serves a public amenity. Although the reduction in the project scope has reduced the number of units, the width of the project is still the same. Another option would be to increase the height and reduce the width of the proposal,

thus reducing or avoiding the need for vacating 40 feet of 15th Street. This would allow for the sidewalk on the north side of 15th Street to be maintained.

Tentative Subdivision Map (Modified conditions)

The intent of all Conditions of Approval is to ensure that a project is respectful of its surroundings and minimizes any impacts to neighboring uses. With projects proposed within the Downtown Specific Plan, this is no different. The conditions were intended so that the project functioned and interacted with the myriad other downtown projects initially projected during the condo boom of the mid to late 2000's. Staff analysis of the proposed changes is as follows:

Condition No. 4 (Paseo Plans) – Removal of the paseo condition appears reasonable, only if it is no longer part of the project. However, the intent of vacating 40 feet of 15th Street was to convert the remaining 25 feet to a pedestrian walkway (paseo), not a street. Without reconsidering the street vacation, 15th Street would lose all street parking. However, as the Kimball Park Master Plan includes a 52-space parking lot, which would need to rely on 15th Street for access, it makes sense to omit the condition, notwithstanding the need to reassess the street vacation.

Condition No. 5 (Library Parking) – If the paseo is no longer a part of the project, it also makes sense to delete this condition.

Condition No. 9 (Public Art Program) – The applicant is proposing to pay an in-lieu fee rather than install an art component as part of the project. Most jurisdictions require that the applicant provide an art installation costing no less than a half-percent of the project valuation, or pay an in-lieu fee of no less than one percent of the project valuation. Although there is no formal policy in the City, staff has discussed similar percentages in the past and considers this a fair direction. The Condition has been modified to include an in-lieu fee of a half-percent. For reference, the Centro approval included a bond for the lighting of street trees during the holidays, and Harborview Condominiums were able to provide an augmented painted scheme; therefore, other projects have been granted alternative options and staff is in support of an in-lieu fee. The fee is anticipated to be used for an art installation within Kimball Park, although it could be for an alternative project within the Downtown Specific Plan area.

Condition No. 10 (Green Design) – The applicant does not want this requirement to be mandatory. However, all construction projects are required to meet 'Green' building standards per the California Building Code (CBC). Although the meaning of 'Green Design' at the time of the original approval was likely different (outside normally required building code requirements), the new 'Green' building standards that are part of the 2013 CBC would meet this requirement. The condition has been omitted as requested, although the project is still subject to CBC Green Codes (Condition no. 15).

Condition No. 17 (National City Transit Requirements) – This condition was implemented when the City's transit service was provided by National City Transit. This condition contains no language specifically requiring action by an individual applicant,

but rather a collective study of whether there would be need for a local shuttle service between major population centers (individual downtown projects). In the event that multiple large condo towers are constructed and occupied, a shuttle service would be beneficial and potentially needed. Although only a handful of major projects have been realized (Centro, Harborview Condominiums, Bayview Towers), in the event previously-approved Downtown Specific Plan (DSP) condo projects are constructed, the same transit needs will still need to be addressed. However, staff will reassess the need for additional transit at that time and coordinate with MTS (Metropolitan Transit System).

Proposed conditions

Proposed Condition No.1 (Parking Lot in Kimball Park) – As previously mentioned, the City will be building a 52-space parking lot in Kimball Park east of the project area. The applicant had previously offered to construct the parking lot, but the City will be doing so. Seeing as the City is proposing to construct the parking lot as part of the Kimball Park Master Plan, there is no need for such a condition. Moreover, it would not be appropriate to place such a condition on the City, as the City is not the applicant.

Proposed Condition No.2 (Parking Program) – The applicant has expressed the need for additional parking and is seeking an after-hours shared parking agreement for the Kimball Park Parking Lot (when the parking lot is not being utilized). In exchange for such an agreement, the applicant is offering \$100,000 towards the parking lot improvements and any additional park amenities. This would be in addition to any development impact fees. However, current Municipal Codes do not allow for public access to parks after 9 p.m.; therefore, no shared parking scenario can be guaranteed at this time and is not included in this permit. Moreover, the applicant would need to initiate a permit parking program, not the City.

Staff has concerns related to the shared parking program. Currently, after hours parking is not permitted by the Code. Importantly, the project as designed meets on-site parking requirements and the City Engineer has determined there is sufficient on-street parking available to meet demands. Moreover, there are legal concerns to discuss. Lastly, the policy question remains as to whether the City seeks to have such shared uses of its public park land.

A parking lot for the benefit of people using and enjoying Kimball Park is an acceptable use of park property. Generally speaking, permissible park uses are those which offer the public opportunities for relaxation, recreation, educational and/or cultural enrichment, exercise, pleasure, entertainment, and refreshment. The issue here is whether the use of a parking lot in Kimball Park by certain residents of a private development is a permissible use of park land. The case law does not squarely address this question. It does, however, provide guidance in determining what constitutes permissible uses. It is questionable whether the applicant's use would be a permissible use of parkland.

In determining whether a use is a proper park use, the primary question is “whether the use *in a particular case, and for a designated purpose*, is consistent or inconsistent with park purposes.” *Slavich v. Hamilton*, 201 Cal. 299, 303 (1927) (emphasis added); *Wattson v. Eldridge*, 207 Cal. 314, 320 (1929). A use which would be inconsistent with park purposes or which would unreasonably interfere with the public's enjoyment of the park is impermissible. *Simons v. City of Los Angeles*, 63 Cal. App. 3d 455, 470 (1976).

When analyzing whether a particular use unreasonably interferes with the public's free use and enjoyment of a park, courts tend to focus on three factors: (1) the amount of space occupied by the use relative to the size of the park; (2), the location of the use in the park; and (3) the duration of the use. In *City and County of San Francisco v. Linares*, 16 Cal. 2d 441 (1940) the court found that the temporary suspension of park surface use for ten months and permanent installation of entrance and exit for underground public parking which occupied six and one-half percent of the park was an insignificant interference with park use. In this instance, the applicant is seeking to use the parking lot at a time when the park is closed to the public.

Courts have held that a use on dedicated park land may not exclude members of the public. *San Vicente Nursery School v. County of Los Angeles*, 147 Cal.App.2d 79, 85 (1956). The court in *San Vicente* held that the exclusive use of the building and adjacent facilities in a park by a private group constituted an illegal diversion of the Park. The court found that there was an unreasonable exclusion of other members of the public because the primary purpose of the exclusive use was to benefit a limited number people and that such exclusive use by a private group was not a public use or public purpose. Accordingly, that particular use of the park did not contribute to the enjoyment of the park by other members of the public, but detracted from such enjoyment. In this instance, the exclusion would be during hours the park is closed.

Uses of parkland that are incidental to park uses, such as those that facilitate or enhance the public's enjoyment of the park, have been upheld. *Abbot Kinney Company v. City of Los Angeles*, 223 Cal. App. 2d 668, 675 (1963). Accordingly, one looks at whether the use at night detracts or impacts the public's enjoyment of the park. Arguments can be made both ways: that the use is not consistent with park purposes; or, the Park is closed overnight so the private use does not detract from the enjoyment of Kimball Park by members of the public.

As discussed above, the determination of whether a use is a permissible park use is determined on a case-by-case basis. A court will look to see if, in this particular case, the exclusive use of the parking lot by the residents of the Project, even if just overnight, is consistent with park purposes. The risk free approach is to not allow the exclusive use of the parking lot.

If the City does decide to allow the exclusive use, the legal risk could be reduced by allowing the Project residents to use the parking lot only when the Park is closed; from 9:00 p.m. until 7:00 a.m. It should be noted that the applicant is amenable to non-exclusive use of the parking lot. In other words, the applicant has indicated they are

amenable to just having access to use the parking lot after hours without it being exclusive to their residents. Whether this is practical is another matter. In regard to whether this reduces the concern of inconsistent use with park purposes, the case law does not definitively answer this question.

In the event that the Planning Commission and/or City Council decide to pursue a shared parking scenario, the operation and enforcement of such an agreement would need to be vetted through appropriate channels. Issues needing to be satisfied would include (but not be limited to) the following:

- Any shared parking use would not be exclusive (public purpose as a park shall be maintained).
- A Code Amendment initiated and processed by the applicant related to parking lot access after posted no public access hours.
- Funds deposited to cover staff time and materials related to processing the Code Amendment.
- Consistency with the City's Parking Permit Policy.
- Consistency with any potential Parking Management Plan or Parking District in place or expected at that time.
- An acceptable plan and ongoing funding source for operation and enforcement.
- A usage fee for use of the parking lot.
- Defend, indemnify, and hold harmless the City with relation to non-public use of the park.
- If subject to challenge, vacation of use of the parking lot after hours subject to court order or within 30 days, whichever is sooner.

Proposed Condition No.3 (Skate Park Removal) – The applicant would like assurances that the skate park east of the project site will be removed prior to occupancy of the building. They are asking that it be removed within 8 months of building permits being issued. The City has financing in place and is in the process of awarding a contract for the construction of the parking lot, which is expected to begin construction in the summer of 2015. Given that the parking lot will be where the skate park is currently located, no condition is needed. Furthermore, it would not be appropriate to place such a condition on the City.

Downtown Specific Plan Consistency

The proposed development continues to be consistent with the land use regulations of the Downtown Specific Plan. The project falls within Development Zone 13, which allows civic uses or mid-rise residential uses. Permitted land uses for the zone include "mid-rise residential". The proposed project would achieve this land use objective.

The proposed project is consistent with the development standards of Development Zone 13, which allows a maximum floor area ratio (FAR) of 4:1 and a maximum height of 75-feet. The project totals 213,810 square feet in floor area, which is an FAR of 2.55:1 (the minimum required is 2:1). The tallest building would have a maximum height of 50 feet. The parking requirement for the project is 221 spaces based on the unit mix (bedrooms)

and the floor area of the commercial space; the project would provide 227 spaces. Furthermore, more than the maximum amount of allowable compact spaces (10%) is shown on plans. The applicant has stated they will remedy this prior to submittal of construction drawings. A Condition has been added to ensure compliance with required parking standards (No. 20).

Conditions of Approval

This application was routed to other Departments for review. Comments were provided by the Fire Department and from Advanced Planning. The Fire Department is requiring compliance with appropriate codes, installation of sprinklers and standpipes, and required circumferential travel – including the area containing the tennis court/skate park. The latter condition can only be provided if vehicular access is constructed in this area. The parking lot, when constructed, would provide this access. Plans for the parking lot have been designed to accommodate, and have been approved by, the Fire Department. Advanced Planning has recommended the addition of faux storefront/window treatment along the south and north elevations of each building to offset large blank areas. These comments are included as conditions.

Since the first round of Downtown Specific Plan Consistency reviews, some standard conditions for Downtown projects are no longer applicable. Specifically, the Business Improvement District no longer exists. Therefore, that condition has been removed. Also, given that a Landscape Maintenance District and Parking District have not been formed as yet, these conditions have been modified to be applicable at such time as those districts are formed (No's. 16 and 17).

With the exception of Conditions of Approval modified, added or deleted as discussed above, all original Conditions of Approval are still in effect and are included in the attached conditions for reference, excepting updated conditions related to codes (Building, etc).

Summary

In an effort to move forward with the Park Lofts project, the applicant has requested amendment of the original conditions. With staff input, the proposed changes still meet the intent of the original approval. Additionally, granting of the modifications will allow for the applicants to complete pre-development obligations and to pursue a project that has been approved for some time. In addition, the project is consistent with the Downtown Specific Plan and will provide for redevelopment of an under-utilized property. The project will, in turn, provide market-rate housing opportunities and jobs to the area. There is, however, still a concern regarding the continued use of the southerly 40 feet of 15th Street, now that the paseo has been omitted from the design. This item will be considered again at a subsequent public hearing in front of the City Council.

RECOMMENDATION

1. Approve 2012-03 S, DSP subject to the conditions listed below, based on attached findings; or
2. Deny 2012-03 S, DSP based on attached findings/findings to be made by the Planning Commission; or
3. Continue the item to a specific date.

ATTACHMENTS

1. Recommended Findings for Approval/Denial
2. Recommended Conditions
3. Location Map
4. Public Hearing Notice (Sent to 64 property owners and occupants)
5. City Council Resolution 2006-265
6. Project plans (Exhibit "A", Case File No. 2012-03 DSP, S, dated 2/6/2012)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL

2012-03 S, DSP Park Lofts

1. The project is consistent with the Downtown Specific Plan for which an Environmental Impact Report was certified and Mitigation Measures and a Mitigation Monitoring and Reporting Program were adopted.
2. The proposed map is consistent with the General Plan since it is consistent with and implements the Downtown Specific Plan, which is a further refinement of the goals and objectives of the General Plan.
3. The site is physically suitable for the proposed type of development since the proposed project and all required improvements can be provided on site, and the project would comply with the applicable development standards or has been granted the appropriate exemptions.
4. The site is physically suitable for the proposed density of development since the proposed project and all required improvements can be provided on site, and the project would comply with the applicable development standards or has been granted the appropriate exemptions.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, since the site is was previously developed and is located in a completely urbanized area.
6. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems, since all necessary public services, facilities, infrastructure, and utilities will be provided.
7. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, or such easements will be provided or relocated as required.
8. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6.
9. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources.

10. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage.

RECOMMENDED FINDINGS FOR DENIAL
2012-03 S. DSP Park Lofts

1. The proposed map is not consistent with the General Plan since recordation of the map would result in the loss of 40 feet of public street, which would cause loss of street parking and reduce pedestrian access to Kimball Park.
2. The site is not physically suitable for the proposed type of development since the proposed project and all required improvements cannot be provided on site in the current four-story configuration without vacating 40 feet of East 15th Street.
3. The design of the subdivision and the proposed/required improvements will conflict with access adjacent to the property, as removal of the sidewalk adjacent to the City Library and omission of the paseo will result in a reduction of pedestrian access to Kimball Park.

RECOMMENDED CONDITIONS OF APPROVAL

2012-03 S, DSP Park Lofts

1. **Mitigation Measures.** The Tentative Subdivision Map shall be subject to all applicable mitigation measures of the adopted Mitigation Monitoring and Reporting Program of the certified Environmental Impact Report for the Downtown Specific Plan.
2. **Approved Exhibit.** The Tentative Subdivision Map authorizes the subdivision of the subject property for condominium purposes in conformance with Exhibit A, Case File No. 2012-03 DSP, S, dated 2/6/2012, except as modified by the Conditions of Approval.
3. **Consistency Review.** The Tentative Subdivision Map shall be consistent with Downtown Specific Plan Consistency Review (2012-03 DSP).
4. **Landscape Plans.** The applicant shall submit landscape and irrigation plans for approval and shall install and construct all improvements pursuant to the approved plans prior to occupancy.
5. **Lighting Plans.** The applicant shall submit lighting plans for approval and shall install and construct all lighting pursuant to the approved plans prior to occupancy. Lighting shall be designed to provide adequate illumination for safety, security, identification, and direction as well as for landmark visibility of the primary buildings and/or significant features of the project.
6. **Sign Program.** The applicant shall submit a sign program for approval, and all signs shall be designed and installed pursuant to the approved sign program.
7. **Public Art Program.** The applicant shall submit a public art program for approval and shall install, construct, or implement the approved public art program prior to occupancy. The installation shall cost no less than a half-percent of the project valuation. The applicant may also pay an in-lieu fee of no less than one percent of the project valuation.
8. **Public Improvements.** The applicant shall submit improvement plans for all adjacent public rights-of-way for approval. The plans shall be consistent with the Downtown Specific Plan, including the Open Space Framework, the Streetscape Master Plan, and the Design Guidelines. The improvements shall include but not be limited to streets; alleys; curbs and gutter; sidewalks; medians; parkways; landscape; street lights; street furniture; traffic control; parking facilities; utilities; water, sewer, and drainage facilities; and other necessary facilities and infrastructure. The applicant shall install and construct the improvements pursuant to the approved plans prior to occupancy.
9. **Engineering Requirements.** The applicant shall comply with all engineering requirements, including the listed requirements.
 - a) A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal

storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.

- b) The Priority Project Applicability checklist for the Standard Urban Storm-water Mitigation Plan (SUSMP) is required to be completed and submitted to the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP), an approved SUSMP will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
- c) The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
- d) All surface run-off shall be collected by approved drainage facilities and directed to the street by sidewalk underdrains or a curb outlet. Adjacent properties shall be protected from surface run-off resulting from this development.
- e) A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. The checklists for preparation of the grading plan, drainage plan, and Standard Urban Storm Water Mitigation Plan (SUSMP) are available at the Engineering Department.
- f) A National Pollutant Discharge Elimination System (NPDES) permit is required for discharged of storm water runoff associated with construction activity where clearing, grading, and excavation results in a land disturbance. A construction stormwater permit shall be obtained from the Regional Water Quality Control Board. A copy of the permit shall be given to the City of National City Engineering Department prior to any work beginning on the project.

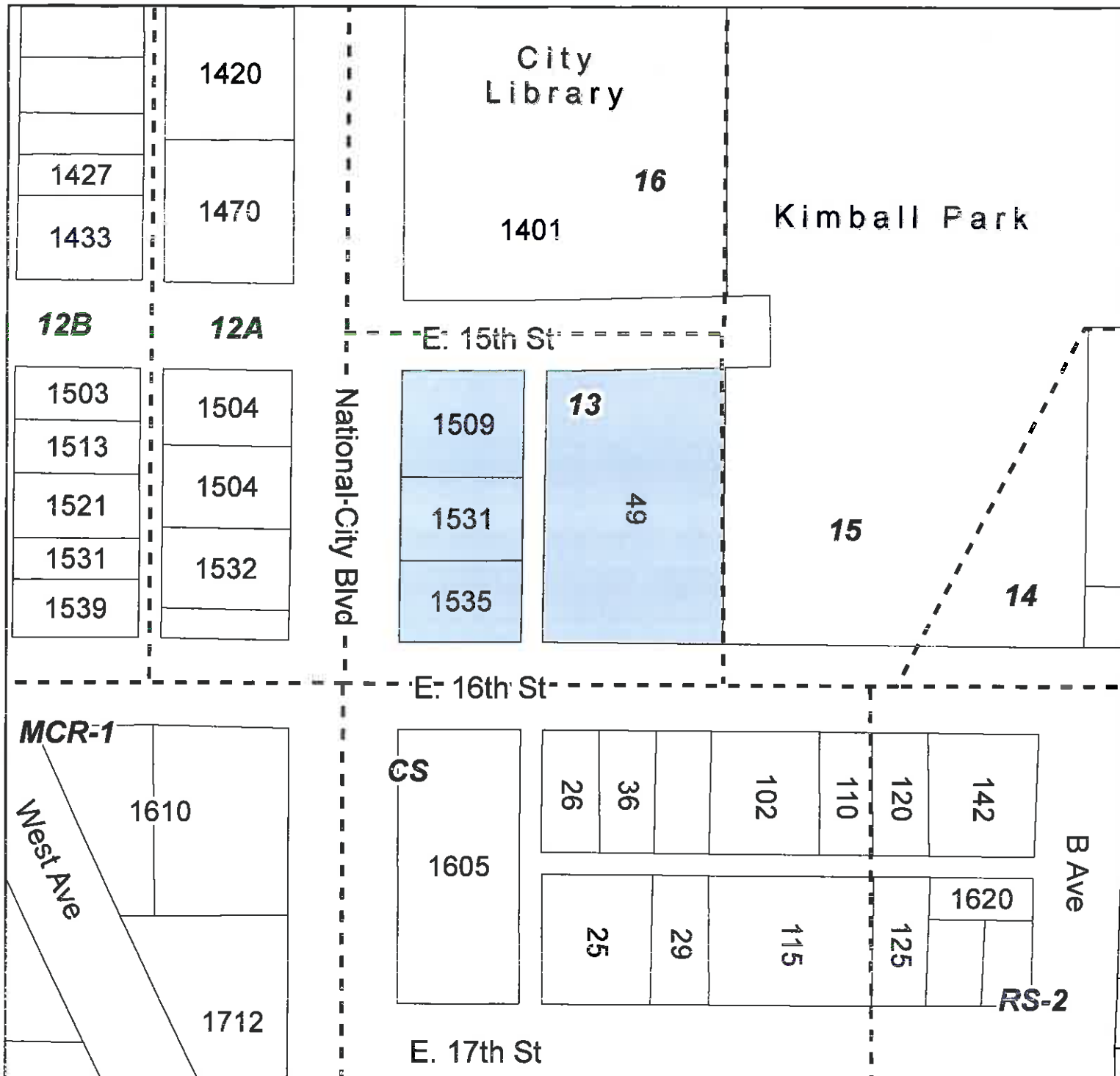
- g) A sewer permit will be required. A sewer study shall consider the adequacy of the existing sewer system. The sewer study recommendations shall be part of the Engineering Department Requirements. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 8-inch in size with a clean out and the installation of a manhole in the street. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral. A sewer main runs through the alley that shall be addressed or relocated if building is to be constructed in this location.
- h) A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
- i) The deteriorated portions of existing street improvements (including sidewalks and curbs) along the property frontages shall be removed and replaced, *unless other funding sources become available that allow alternative options.*
- j) A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
- k) Street improvements shall be in accordance with City Standards. Abandoned driveway aprons shall be replaced with curbs, gutters, and sidewalks.
- l) A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership of the property.
- m) A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
- n) An existing 35-foot wide drainage easement reserved to the City of National City exists at the south side of the property. No building encroachment will be allowed within the easement. The easement shall be shown on the grading plans and on the final map

- o) The Final Map shall meet all of the requirements of the Subdivision Map Act, and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information and monumentation.
 - p) The subdivider shall submit an approval letter from Sweetwater Authority stating fire flow requirements have been met. If additional improvements are needed, the developer shall enter into an agreement for the water improvements with the Authority prior to obtaining the Final Map approval.
 - q) The developer shall bond for the monumentation, the public improvements and the on-site grading, drainage, landscaping, and other improvements through an agreement with the City prior to the approval of the Final Map.
 - r) The proposed street and alley vacation at this site shall be approved by the City council prior to the final map approval. City vehicle access shall be provided to maintain the park.
 - s) All utility distribution facilities within the boundaries of the subdivision, and within the half street abutting the new subdivision, shall be placed underground.
 - t) The Final Map shall be recorded prior to issuance of any building permit.
 - u) All new property line survey monuments shall be set on private property, unless otherwise approved.
 - v) The Final Map shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.
10. Public Works Requirements. The applicant shall comply with all public works requirements, including the listed requirements.
- a) The developer shall replace the existing sidewalks adjacent to the project.
 - b) The developer shall replace the existing street trees with a tree palette commensurate with the building's architecture and adjacent landscaping theme.
 - c) The developer shall install streetlights along street and paseo frontages.
 - d) Vine type plants shall be planted to cover the wall along the east project boundary, and shall be maintained by the project HOA.
11. Fire Department Requirements. The applicant shall comply with all Fire Department requirements, including the listed requirements.
- a) The project shall be built to code. The National City Fire Department utilizes the 2013 edition of the California Fire Code and the current edition of the National Fire Protection Association (NFPA) Codes and Standards.

- b) Sprinkler piping and fire detection devices shall be automatically supervised where more than 20 sprinklers are on the system per NFPA 13, Chapter 7 Section 7.3.2.4 Supervision. A fire alarm system is required.
 - c) Standpipes shall be required at ground level due to zero emergency access. A fire protection engineer shall be contacted for direction on design.
 - d) Circumferential travel, including the area containing tennis courts and the skate park, is required. If no circumferential travel is provided, emergency access through buildings will be required per the CFC Chapter 5 and Appendix D. This comment shall be memorialized on all submitted plans as discussed in meeting which occurred on January 4, 2012 at City Hall.
 - e) If a sprinkler and/or alarm system is required, plans for such systems shall be submitted directly to the National City Fire Department.
12. Building Department Requirements. Plans submitted for construction shall comply with the 2013 editions of the California Accessibility, Building, Electrical, Mechanical, Plumbing, Energy, Fire, Residential and Green Codes.
13. Police Department Requirements. The applicant shall comply with all Police Department requirements, including the listed requirements.
- a) The project shall comply with the crime free multi-housing criteria and crime prevention through environmental design standards.
 - b) The project shall incorporate a camera system for security monitoring purposes of the common open public spaces and retail areas of this project. Such camera system should be compatible to operationally integrate with the current Police Department security camera project scheduled for various areas throughout the City.
14. Covenants, Conditions, and Restrictions. The applicant shall submit a declaration of covenants, conditions, and restrictions for approval prior to approval of a final subdivision map. The CC&Rs shall run with the land, clearly setting forth privileges and responsibilities, including maintenance, involved in the common ownership of buildings, streets, parking areas, walks, open spaces, recreation areas, utilities, and common areas and facilities. The CC&Rs shall allow the City of National City the authority but not the obligation to assume the maintenance of the property and assess the full cost, including overhead costs, as a lien against the property if said property is not adequately maintained pursuant to the CC&Rs. The CC&Rs shall include a determination that the funds provided by the maintenance provisions will be sufficient to cover all contemplated costs. The CC&Rs shall be approved as to form and content by the City Attorney of the City of National City.
15. Property Owners Association. A corporation, association, property owners' group, or similar entity shall be formed with the right to assess properties that are jointly owned with interests in the common areas and facilities in the entire development to meet the expenses of such entity, and with authority to control, and the duty to maintain, all such common areas and facilities. Such entity shall operate under recorded CC&Rs approved by the City of National City, which shall include

compulsory membership of all property owners and flexibility of assessments to meet changing costs of maintenance, repairs, and services.

16. Landscape Maintenance District. Pursuant to the Implementation Program of the Downtown Specific Plan, if a landscape maintenance district is formed, the subject property shall be incorporated into the landscape maintenance district and assessed as provided for in the district for purposes for which the district was formed.
17. Parking District. Pursuant to the Implementation Program of the Downtown Specific Plan, if a parking district is formed, the subject property shall be incorporated into the parking district and assessed as provided for in the district for purposes for which the district was formed.
18. Acceptance of Conditions. The applicant and property owner shall sign and have notarized an Acceptance Form acknowledging and accepting all conditions of approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of approval of this permit shall automatically terminate this permit. The applicant shall record a Notice of Restriction on Real Property with the San Diego County Recorder. The Notice of Restriction shall provide that the conditions of approval of this permit are binding on all present and future interest or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney of the City of National City and signed by the City Manager of the City of National City prior to recordation.
19. Expiration. The approved Tentative Subdivision Map shall expire two years after the effective date of approval unless prior to that date a request for a time extension not exceeding three years has been filed as provided by Municipal Code Section 17.04.070.
20. Plans submitted for construction permits shall be in compliance with all required parking standards as set forth in the Land Use Code and/or the Downtown Specific Plan.
21. A faux storefront/window treatments shall be installed along the south and north elevations of each building to the extent feasible.



Project Area

--- Zone Boundary



0 75 150 300 Feet

APN:
560-100-05
through 08

Planning Commission
Location Map

2012-03 S, DSP



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF CONTINUED PUBLIC HEARING

MODIFICATION OF A PREVIOUSLY APPROVED
TENTATIVE SUBDIVISION MAP AND CONSISTENCY REVIEW
FOR "PARK LOFTS" LOCATED AT 1509, 1531, 1535 NATIONAL CITY BLVD
AND 49 E. 16TH ST.

CASE FILE NO.: 2012-03 S, DSP

APN: 560-100-05, 06, 07, 08

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, September 22, 2014**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Paradise Creek Holding Corporation)

The project site is the block located south of the City Library. The site has been reduced from 84,100 to 83,809 square feet due to a dedication which will be made to the City. The number of units has been reduced from 283 to 201 and the parking spaces have been reduced to 232 from 327 spaces. The original design was for a 6-story building; it is now proposed as a 4-story building. The applicant is also requesting to modify and/or remove eight Conditions of Approval related to public improvements for the project.

Plans are available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **September 22, 2014**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Executive Director

RESOLUTION NO. 2006 – 265

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY
APPROVING TENTATIVE SUBDIVISION MAP
FOR PARK LOFTS CONDOMINIUMS
LOCATION: 1509, 1531, 1535 NATIONAL CITY BOULEVARD
AND 49 EAST 16TH STREET
APPLICANT: PARADISE CREEK HOLDING CORPORATION
CASE FILE NO. S-2006-15

WHEREAS, application was made for approval of a Tentative Subdivision Map for the Park Lofts Condominiums located at 1509, 1531, 1535 National City Boulevard and 49 East 16th Street within the City of National City on property generally described as:

LOTS 1 THROUGH 20 IN BLOCK 1 IN THE QUARTER SECTION 154 IN RANCHO DE LA NACION IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 552 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY OF JULY 2, 1888.

WHEREAS, the Planning Commission considered said application at a public hearing held on November 6, 2006, and by Resolution recommended denial of the application; and

WHEREAS, the City Council considered said application at a public hearing held on December 19, 2006, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing the City Council considered the staff report prepared for Case File No. S-2006-15, which is maintained by the City and incorporated herein by reference, along with evidence and testimony at said hearing; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State and City law; and

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby approves said Tentative Subdivision Map based on the following findings:

1. The project is consistent with the Downtown Specific Plan for which an Environmental Impact Report was certified and Mitigation Measures and a Mitigation Monitoring and Reporting Program were adopted.
2. The proposed map is consistent with the General Plan since it is consistent with and implements the Downtown Specific Plan, which is a further refinement of the goals and objectives of the General Plan.
3. The site is physically suitable for the proposed type of development since the proposed project and all required improvements can be provided on site, and the project would comply with the applicable development standards or has been granted the appropriate exemptions.

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December 19, 2006
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4. The site is physically suitable for the proposed density of development since the proposed project and all required improvements can be provided on site, and the project would comply with the applicable development standards or has been granted the appropriate exemptions.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, since the site is was previously developed and is located in a completely urbanized area.
6. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems, since all necessary public services, facilities, infrastructure, and utilities will be provided.
7. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, or such easements will be provided or relocated as required.
8. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6.
9. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources.
10. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage.

BE IT FURTHER RESOLVED that the City Council has considered that the certified Environmental Impact Report for the Downtown Specific Plan serves as adequate environmental documentation, together with any comments received during the public review process, and finds on the basis of the whole record that that the project was adequately considered by the Environmental Impact Report, which reflects the City's independent judgment and analysis, and hereby authorizes the filing of a Notice of Determination.

BE IT FURTHER RESOLVED that based on the findings hereinbefore stated, that the City Council approves said Tentative Subdivision Map subject to the following conditions:

1. Mitigation Measures. The Tentative Subdivision Map shall be subject to all applicable mitigation measures of the adopted Mitigation Monitoring and Reporting Program of the certified Environmental Impact Report for the Downtown Specific Plan.

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2. Approved Exhibit. The Tentative Subdivision Map authorizes the subdivision of the subject property for condominium purposes in conformance with Exhibit (S-2006-15), dated September 21, 2006, except as modified by the conditions of approval.
3. Consistency Review. The Tentative Subdivision Map shall be consistent with Downtown Specific Plan Consistency Review (DSP-2006-1).
4. Paseo Plans. The applicant shall submit paseo improvement plans for approval and shall install and construct all improvements pursuant to the approved plans prior to occupancy. The paseo shall be designed to allow ingress and egress of emergency, maintenance, and service vehicles to the adjacent park. Restroom facilities shall be provided if determined to be feasible and desirable by the City.
5. Library Parking. The applicant shall submit a parking plan for the adjacent library parking lot and shall install and construct all improvements pursuant to the approved plans prior to occupancy. The plans shall include a second driveway approach on National City Boulevard, and a redesign of the parking layout to create the maximum number of parking spaces feasible.
6. Landscape Plans. The applicant shall submit landscape and irrigation plans for approval and shall install and construct all improvements pursuant to the approved plans prior to occupancy.
7. Lighting Plans. The applicant shall submit lighting plans for approval and shall install and construct all lighting pursuant to the approved plans prior to occupancy. Lighting shall be designed to provide adequate illumination for safety, security, identification, and direction as well as for landmark visibility of the primary buildings and/or significant features of the project.
8. Sign Program. The applicant shall submit a sign program for approval, and all signs shall be designed and installed pursuant to the approved sign program.
9. Public Art Program. The applicant shall submit a public art program for approval and shall install, construct, or implement the approved public art program prior to occupancy.
10. Green Design. The applicant shall incorporate green design, energy efficiency, waste reduction, recycling, conservation, and sustainable design in the project to the maximum extent feasible.
11. Public Improvements. The applicant shall submit improvement plans for all adjacent public rights-of-way for approval. The plans shall be consistent with the Downtown Specific Plan, including the Open Space Framework, the Streetscape Master Plan, and the Design Guidelines. The improvements shall include but not be limited to streets; alleys; curbs and gutter; sidewalks; medians; parkways; landscape; street lights; street furniture; traffic control; parking facilities; utilities; water, sewer, and drainage facilities; and other necessary facilities and infrastructure. The applicant shall install and construct the improvements pursuant to the approved plans prior to occupancy.

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12. Engineering Requirements. The applicant shall comply with all engineering requirements, including the listed requirements.
- a) A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
 - b) The Priority Project Applicability checklist for the Standard Urban Storm-water Mitigation Plan (SUSMP) is required to be completed and submitted to the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP), an approved SUSMP will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
 - c) The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
 - d) All surface run-off shall be collected by approved drainage facilities and directed to the street by sidewalk underdrains or a curb outlet. Adjacent properties shall be protected from surface run-off resulting from this development.
 - e) A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. The checklists for preparation of the grading plan, drainage plan, and Standard Urban Storm Water Mitigation Plan (SUSMP) are available at the Engineering Department.
 - f) A National Pollutant Discharge Elimination System (NPDES) permit is required for discharged of storm water runoff associated with construction activity where clearing, grading, and excavation results in a land disturbance. A construction stormwater permit shall be obtained from the Regional Water Quality Control Board. A copy of the permit shall be given to the City of National City Engineering Department prior to any work beginning on the project.

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- g) A sewer permit will be required. A sewer study shall consider the adequacy of the existing sewer system. The sewer study recommendations shall be part of the Engineering Department Requirements. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 8-inch in size with a clean out and the installation of a manhole in the street. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral. A sewer main runs through the alley that shall be addressed or relocated if building is to be constructed in this location.
- h) A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure. As a minimum, the parking lot pavement sections shall be 2-inch A.C. over 4-inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
- i) The deteriorated portions of existing street improvements (including sidewalks and curbs) along the property frontages shall be removed and replaced.
- j) A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
- k) Street improvements shall be in accordance with City Standards. Abandoned driveway aprons shall be replaced with curbs, gutters, and sidewalks.
- l) A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership of the property.
- m) A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
- n) An existing 35-foot wide drainage easement reserved to the City of National City exists at the south side of the property. No building encroachment will be allowed within the easement. The easement shall be shown on the grading plans and on the final map.
- o) The Final Map shall meet all of the requirements of the Subdivision Map Act, and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information and monumentation.

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- p) The subdivider shall submit an approval letter from Sweetwater Authority stating fire flow requirements have been met. If additional improvements are needed, the developer shall enter into an agreement for the water improvements with the Authority prior to obtaining the Final Map approval.
 - q) The developer shall bond for the monumentation, the public improvements and the on-site grading, drainage, landscaping, and other improvements through an agreement with the City prior to the approval of the Final Map.
 - r) The proposed street and alley vacation at this site shall be approved by the City council prior to the final map approval. City vehicle access shall be provided to maintain the park.
 - s) All utility distribution facilities within the boundaries of the subdivision, and within the half street abutting the new subdivision, shall be placed underground.
 - t) The Final Map shall be recorded prior to issuance of any building permit.
 - u) All new property line survey monuments shall be set on private property, unless otherwise approved.
 - v) The Final Map shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.
13. Public Works Requirements. The applicant shall comply with all public works requirements, including the listed requirements.
- a) The developer shall replace the existing sidewalks adjacent to the project.
 - b) Sewer facilities – The developer shall agree to obtain occupancy of the project after the City completes its trunk line upgrade project.
 - c) The developer shall replace the existing street trees with a tree palette commensurate with the building's architecture and adjacent landscaping theme.
 - d) The developer shall install streetlights along street and paseo frontages.
 - e) Vine type plants shall be planted to cover the wall along the east project boundary, and shall be maintained by the project HOA.
14. Fire Department Requirements. The applicant shall comply with all Fire Department requirements, including the listed requirements.
- a) Project to be designed, developed and constructed in compliance with the California Fire Code (CFC) 2001 edition or CFC in effect at time of permit issuance and the most current National Fire Protection Association (NFPA) Standards as adopted by the City of National City

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- b) Automatic fire sprinkler system will be required.
 - c) Automatic and manual fire alarm system with communications system will be required.
 - d) Class I standpipe system will be required
 - e) Emergency vehicle access will be required on the north side of the structure. Roadway to have a minimum width of 20 feet with a minimum vertical clearance of 13 feet, 6 inches. Turnaround will be required.
 - f) Clear and easily accessible emergency ingress and egress to and throughout the facility must be provided and maintained.
15. Building Department Requirements. The applicant shall comply with all Building Department requirements, and plans shall comply with the 2001 editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, and California Title 24 energy and handicapped regulations.
16. Police Department Requirements. The applicant shall comply with all Police Department requirements, including the listed requirements.
- a) The project shall comply with the crime free multi-housing criteria and crime prevention through environmental design standards.
 - b) The project shall incorporate a camera system for security monitoring purposes of the common open public spaces and retail areas of this project. Such camera system should be compatible to operationally integrate with the current Police Department security camera project scheduled for various areas throughout the City.
17. National City Transit Requirements. The applicant shall comply with all National City Transit requirements, including the listed requirements.
- a) Evaluate the installation of a new bus stop along National City Boulevard near the intersection of 14th Street (Library) or other nearby locations with a shelter, benches, route map and trash containers. This shelter should include an electrical lighting component and at least two CCTV security cameras with a direct feed to NCPD.
 - b) Include this stop (and project) in any evaluation of a Green Car-Community circulator shuttle operation such as under consideration with Revolution R2 (Constellation Property Group) S-2006-8/DSP-2005-1 and Centro (Constellation Property Group) S-2006-8/DSP-2005-1.
 - c) The developer should bear all associated costs to implement any Transit recommendations.
 - d) Submit the plans to MTS Planner Mike Daney (mike.daney@sdmts.com) for his review and comments.

Resolution No. 2006 – 265
December 19, 2006
Page 8

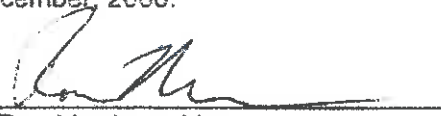
18. Covenants, Conditions, and Restrictions. The applicant shall submit a declaration of covenants, conditions, and restrictions for approval prior to approval of a final subdivision map. The CC&Rs shall run with the land, clearly setting forth privileges and responsibilities, including maintenance, involved in the common ownership of buildings, streets, parking areas, walks, open spaces, recreation areas, utilities, and common areas and facilities. The CC&Rs shall allow the City of National City the authority but not the obligation to assume the maintenance of the property and assess the full cost, including overhead costs, as a lien against the property if said property is not adequately maintained pursuant to the CC&Rs. The CC&Rs shall include a determination that the funds provided by the maintenance provisions will be sufficient to cover all contemplated costs. The CC&Rs shall be approved as to form and content by the City Attorney of the City of National City.
19. Property Owners Association. A corporation, association, property owners' group, or similar entity shall be formed with the right to assess properties that are jointly owned with interests in the common areas and facilities in the entire development to meet the expenses of such entity, and with authority to control, and the duty to maintain, all such common areas and facilities. Such entity shall operate under recorded CC&Rs approved by the City of National City, which shall include compulsory membership of all property owners and flexibility of assessments to meet changing costs of maintenance, repairs, and services.
20. Business Improvement District. Pursuant to the Implementation Program of the Downtown Specific Plan, the subject property shall be incorporated into the Morgan Square Business Improvement District and assessed as provided for in the district for purposes for which the district was formed.
21. Landscape Maintenance District. Pursuant to the Implementation Program of the Downtown Specific Plan, all properties within the boundaries of the Downtown Specific Plan shall be incorporated into a landscape maintenance district and assessed as provided for in the district for purposes for which the district was formed.
22. Parking District. Pursuant to the Implementation Program of the Downtown Specific Plan, all properties within the boundaries of the Downtown Specific Plan shall be incorporated into a parking district and assessed as provided for in the district for purposes for which the district was formed.
23. Acceptance of Conditions. The applicant and property owner shall sign and have notarized an Acceptance Form acknowledging and accepting all conditions of approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of approval of this permit shall automatically terminate this permit. The applicant shall record a Notice of Restriction on Real Property with the San Diego County Recorder. The Notice of Restriction shall provide that the conditions of approval of this permit are binding on all present and future interest or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney of the City of National City and signed by the City Manager of the City of National City prior to recordation.
24. Expiration. The approved Tentative Subdivision Map shall expire two years after the effective date of approval unless prior to that date a request for a time extension not exceeding three years has been filed as provided by Municipal Code Section 17.04.070.

Resolution No. 2006 – 265
December 19, 2006
Page 9

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted forthwith to the applicant; and,

BE IT FURTHER RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedure Section 1094.6.

PASSED and ADOPTED this 19th day of December, 2006.




Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



George H. Elser, III
City Attorney

Consistency Review

Park Lofts at Library Village

National City, California

Assessor Parcel Number
590-10-06-00-97, 08

Site Address

1900, 1931, 1933, National City Boulevard
4900 National City Boulevard
National City, CA 92105

Owner

Frontier Creek Holding Corporation
8400 Rhode Street
San Diego, CA 92121
619 271 0000

EXHIBIT A
CASE FILE NO. 2012-03 DSP, S
DATE: 2/6/2012

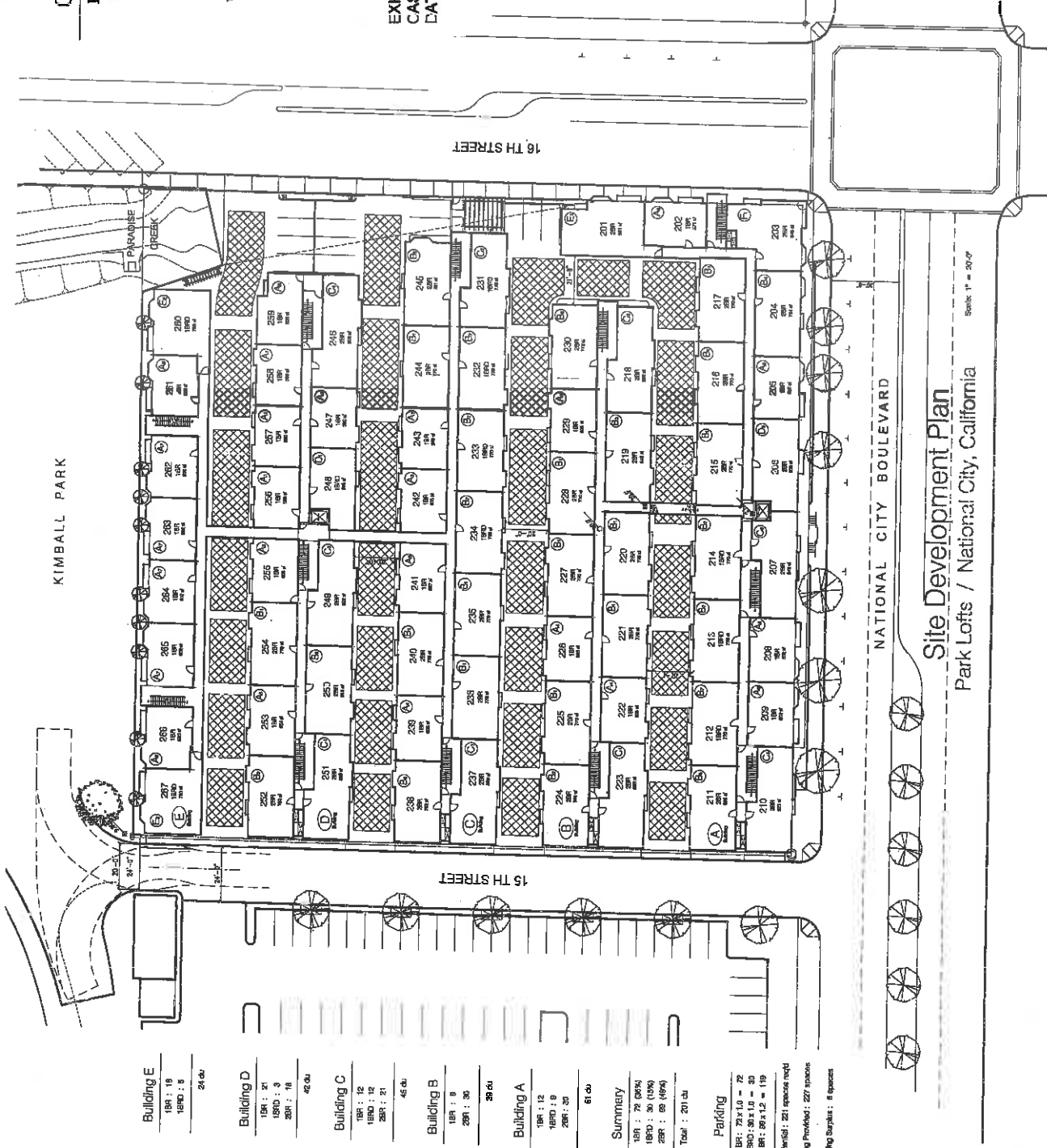
- TS Thin Sheet / Site Plan / Project Data
- A1 Level P1 Floor Plan / Parking Tabulation
- A2 Level R1 Floor Plan / Residential Units
- A3 Level R2 Floor Plan / Residential Units
- A4 Level R3 Floor Plan / Residential Units
- A5 Exterior Building Elevations / West / North
- A6 Exterior Building Elevations / South / East
- A7 Site / Building Cross Section
- A8 Dwelling Unit Floor Plans
- A9 Enlarged Dwelling Unit Floor Plans
- L1 Conceptual Landscapes Plan
- C1 Conceptual Grading Plan

Willmark
Communities
Inc

8049 La Jolla Village
Suite 210
San Diego, CA 92121
619 271 0000

Date
01/24/12

TS



NATIONAL CITY
PUBLIC LIBRARY

Building E
1901 : 19
1902 : 5
24 du

Building D
1901 : 21
1902 : 3
2001 : 16
42 du

Building C
1901 : 12
1902 : 12
2001 : 21
45 du

Building B
1901 : 9
2001 : 30
29 du

Building A
1901 : 12
1902 : 8
2001 : 35
61 du

Summary
1901 : 72 (6%)
1902 : 30 (19%)
2001 : 68 (49%)
Total : 201 du

Parking
1901 : 72 x 10 = 72
1902 : 30 x 10 = 30
2001 : 68 x 12 = 119
Residential : 201 spaces req'd
Parking Provided : 227 spaces
Parking Surplus : 8 spaces

Site Development Plan
Park Lofts / National City, California

Scale: 1" = 30'-0"

Garage

1 Car Staircase:	16
2 Car / 1 Door:	2
2 Car / 2 Door:	150
1/2 Car Compact:	30
Total Garage:	200 spaces

Surface

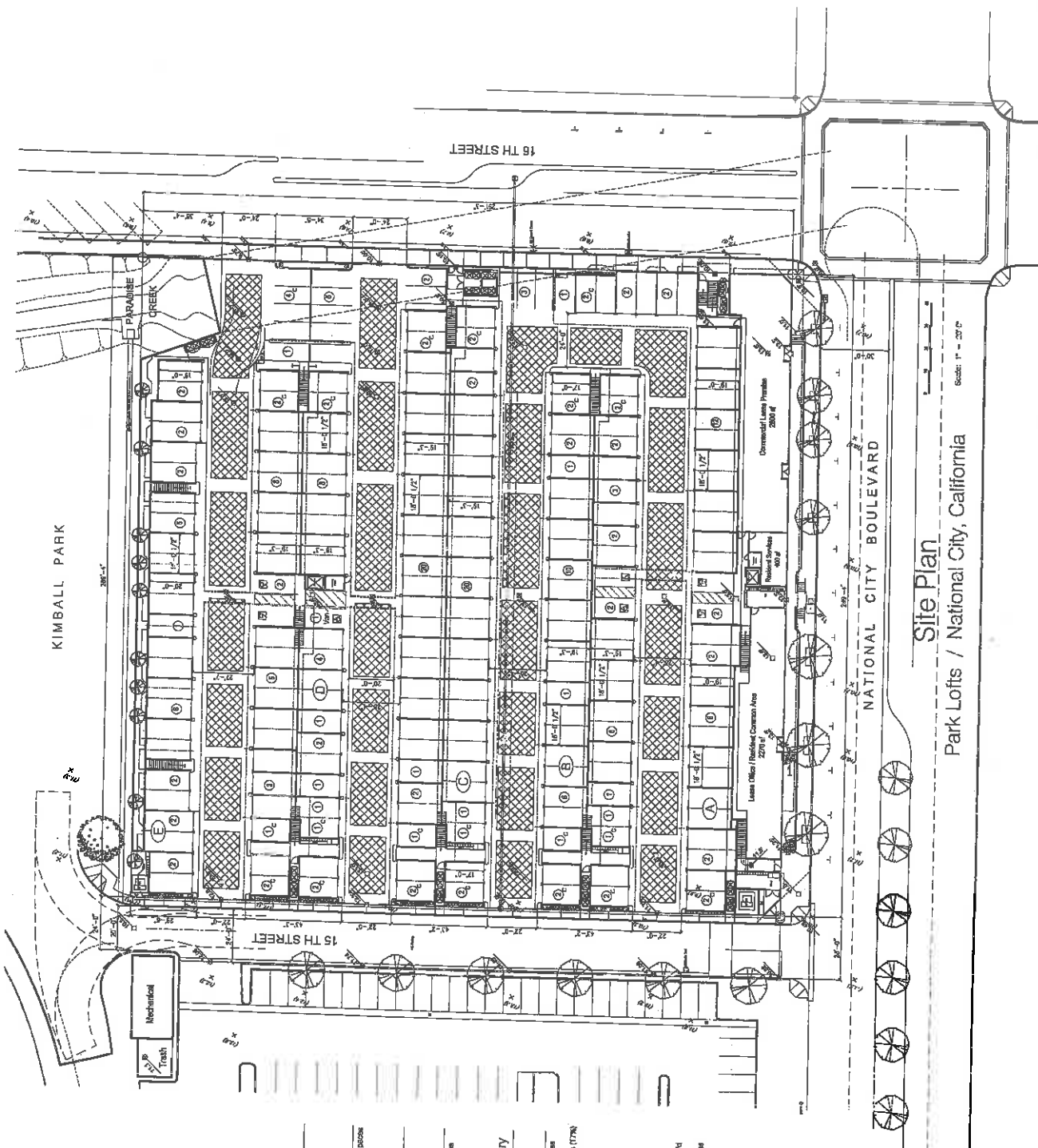
Standard:	17
Compact:	4
HC:	7
Total Surface:	28 spaces

Parking Summary

Garage:	204
Surface:	28
Total Parking:	232 spaces
Compact Parking:	40 spaces (17%)

Parking

198: 72 x 10 = 72
198: 30 x 10 = 30
258: 82 x 12 = 110
Restrooms: 221 spaces req'd
Parking Provided: 207 spaces
Parking Surplus: 6 spaces
Commercial Lease Permits: 2000 sq ft @ 2.50/000 sq ft
Parking Permit: 6 spaces



Site Plan
Park Lofts / National City, California

Scale: 1" = 20'

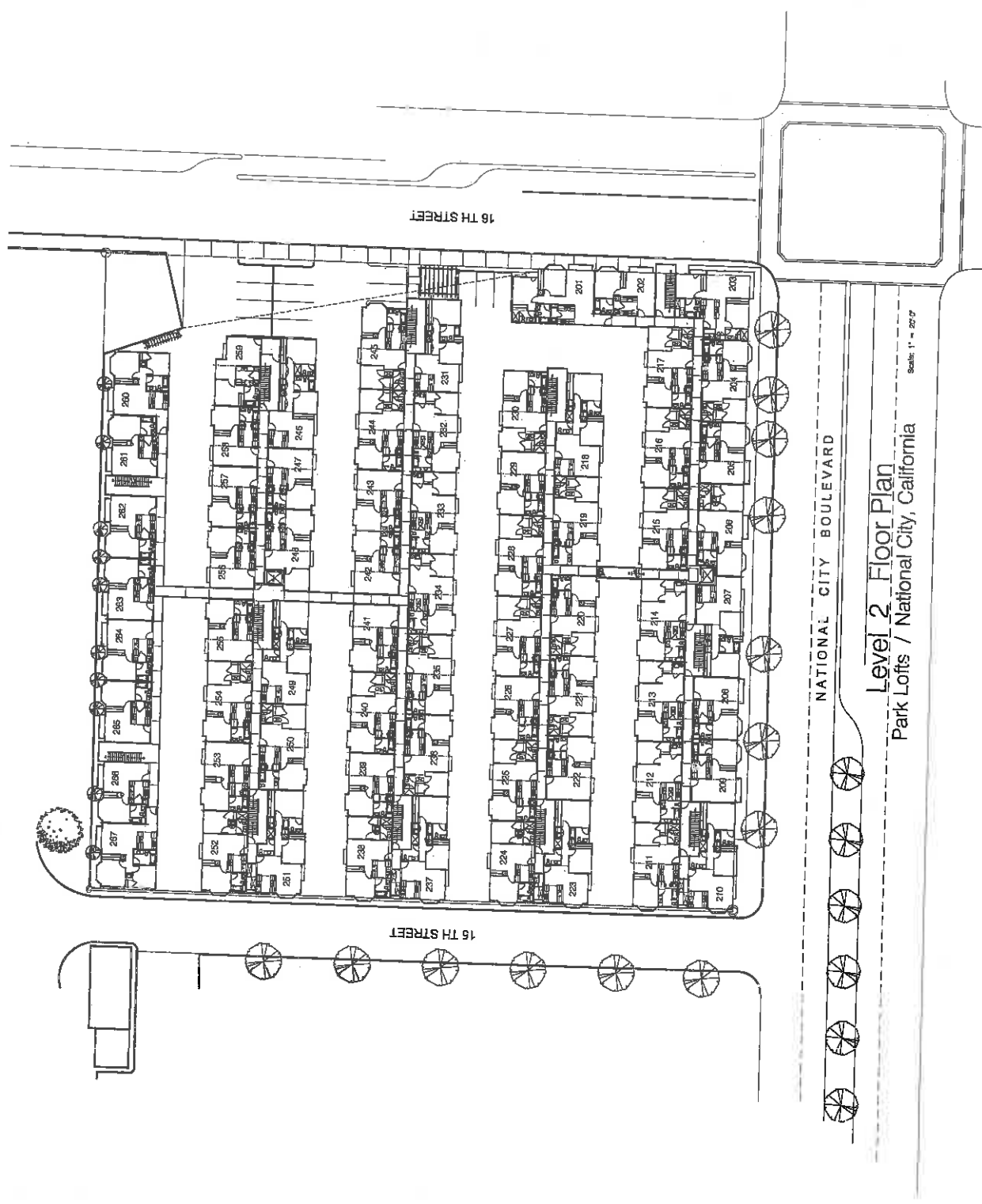
A2

Date
01/24/12

Willmark
Communities
Inc
6949 Laurel Street
Suite 210
San Diego, CA 92121
619 271 0352

The Park Lofts at Library Village
National City Boulevard at 16th Street
National City, California

Rock Vecleroff
Architect
3116 Airport Street
San Diego, CA 92104
Newmark@rockvecleroff.com
619 753 8471



Level 2 Floor Plan
Park Lofts / National City, California

Scale: 1" = 20'-0"



A3

Date
07/26/12

Wilmark
Communities
Inc
1840 Union Street
Suite 210
San Diego, CA 92101
619 271 0282

The Park Lofts at Library Village
National City Boulevard at 16th Street
National City, California

Mark Venable
Architect
3146 Juniper Street
San Diego, CA 92104
mvenable@comcast.net
619 285 6421

Level 3 Floor Plan
Park Lofts / National City, California

NATIONAL CITY BOULEVARD

16 TH STREET

16 TH STREET

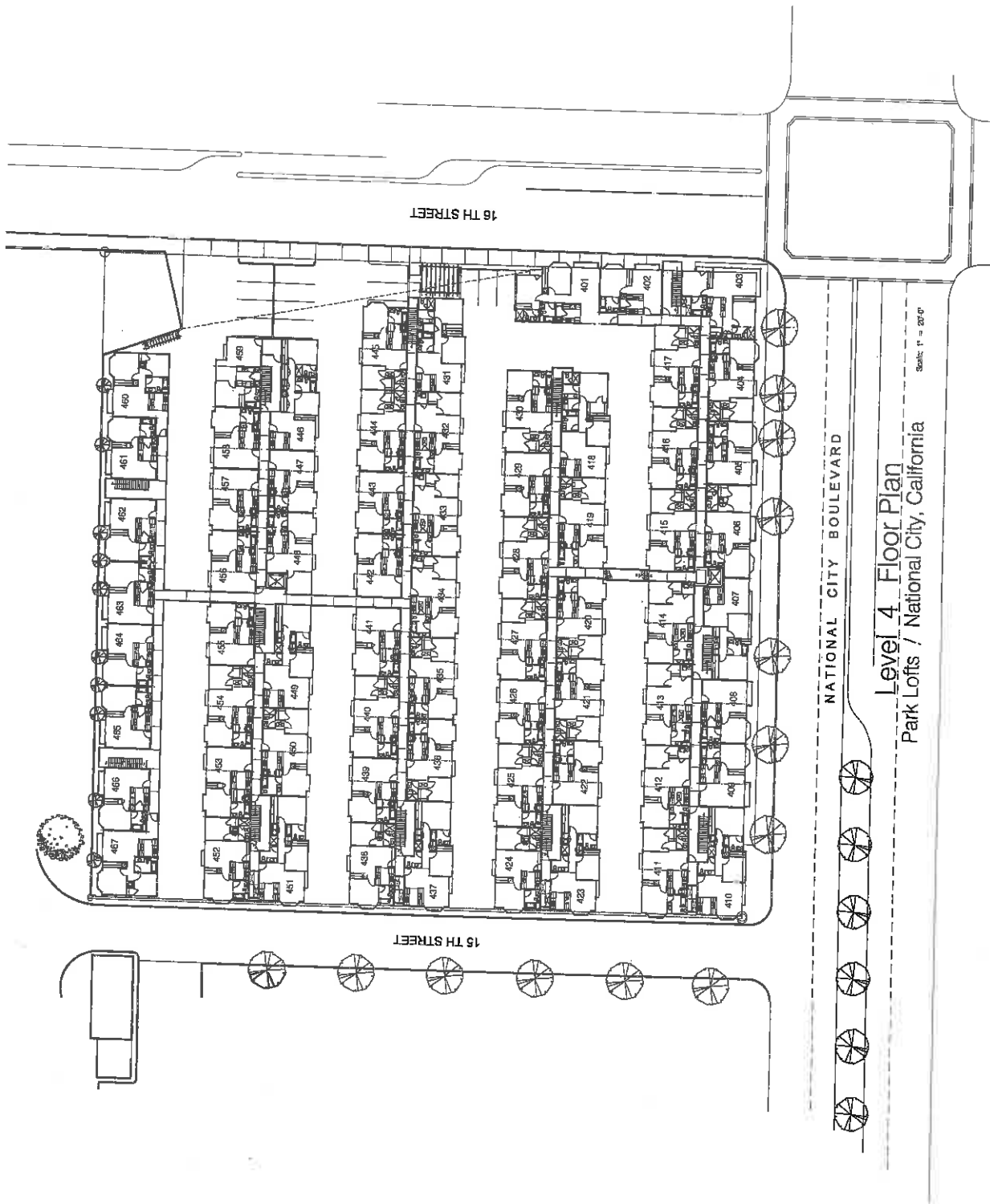
A4

Date
3/17/2017

Willmark
Communities
Inc.
2840 Wilshire Blvd.
Suite 210
San Diego, CA 92103
619 271 0582

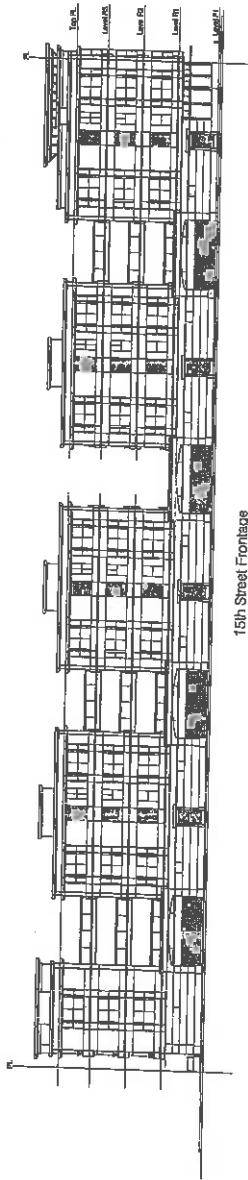
The Park Lofts at Library Village
National City Boulevard at 16th Street
National City, California

Rick Henderson
Architect
3145 La Jolla Village
San Diego, CA 92037
619 735 9421



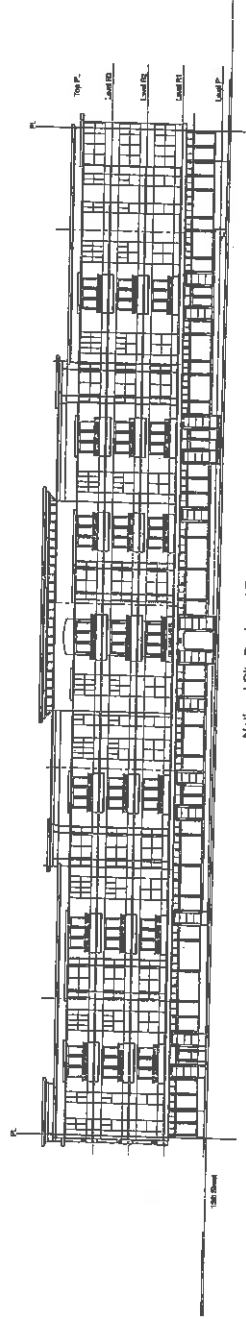
Level 4 Floor Plan
Park Lofts / National City, California

Scale: 1" = 20'-0"



North Elevation

Park Lofts / National City, California

Scale: $1'' = 16' - 0''$ 

West Elevation

Park Lofts / National City, California

Scale: 1" = 16'-0"

The Park Lofts at Library Village
National City Boulevard at 16th Street
National City, California

National City Boulevard at 16th
National City, California

National City Boulder,
National City,

**Willmark
Communities
Inc**

8948 Hilbert Street
Suite 210
San Diego, CA 92131

658 271 0532

**Flick Vandersport
Architect**



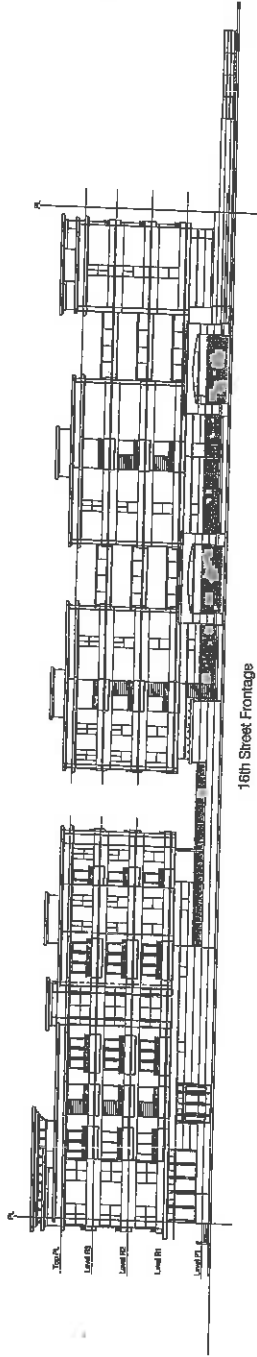
3146 Juniper Street
San Diego, CA 92104
wandering@comcast.net
619 785 8421

rwanderich@zzone.net

619 785 8421

Date
01/24/12

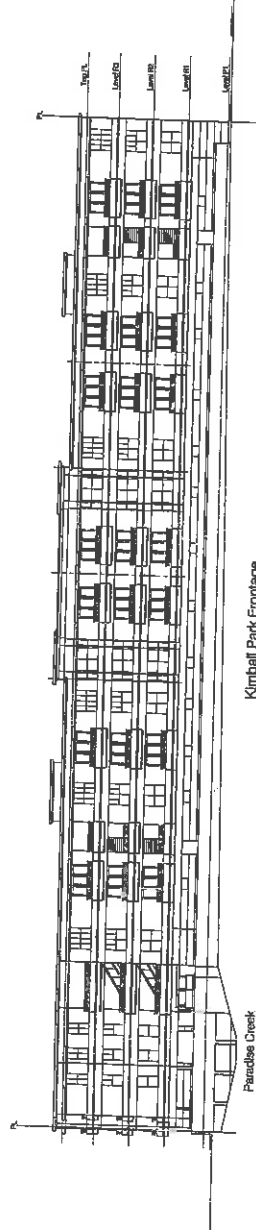
A5



South Elevation

Park Lofts / National City, California

Scale: 1" = 16'-0"



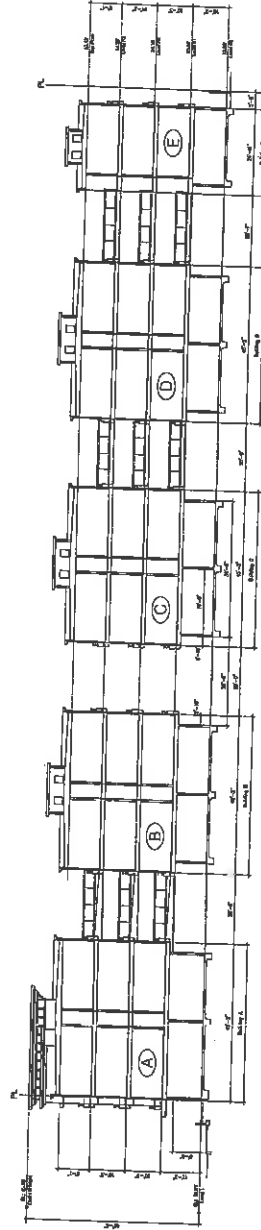
East Elevation

Park Lofts / National City, California

Scale: 1" = 16'-0"

<p>Rich Vandenort Architect</p> <p>2146 Juniper Street San Diego, CA 92104 rvandenort@cox.net 619 785 8421</p>	<p>The Park Lofts at Library Village National City Boulevard at 16th Street National City, California</p>	<p>Willmark Communities Inc.</p> <p>8946 Hobel Street San Diego, CA 92131 858 271 0362</p>	<p>Date 01/24/12</p>	<p>A6</p>
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Development Data Comparison			
	Original Approval	Consistency Review 2008	Current Design
Site Area :	84,100 sf	84,100 sf	83,809 sf
Gross Floor Area :	285,953 sf	183,076 sf	213,810 sf
F.A.R. :	3.40	2.29	2.55
Dwelling Units :	283 du	222 du	207 du
Parking :	327 spaces	238 spaces	232 spaces
Stories :	6 stories	4 stories	4 stories
Height :	65 feet	65 feet	50 feet



Section A

Park Lofts / National City, California

Scale: 1" = 15'-0"

Date
07/24/12

A7

Rick Vandewort
Architect



3145 Juniper Street
San Diego, CA 92104
rvandewort@rcac.net
619.725.9421

The Park Lofts at Library Village
National City Boulevard at 16th Street
National City, California

Willmark
Communities
Inc

9945 Hill Street
San Diego, CA 92131
619.271.1832

A8

Date
01/24/12

Willmark
Communities
Inc
19541 S. Bascom
San Diego, CA 92131
619 271 0382

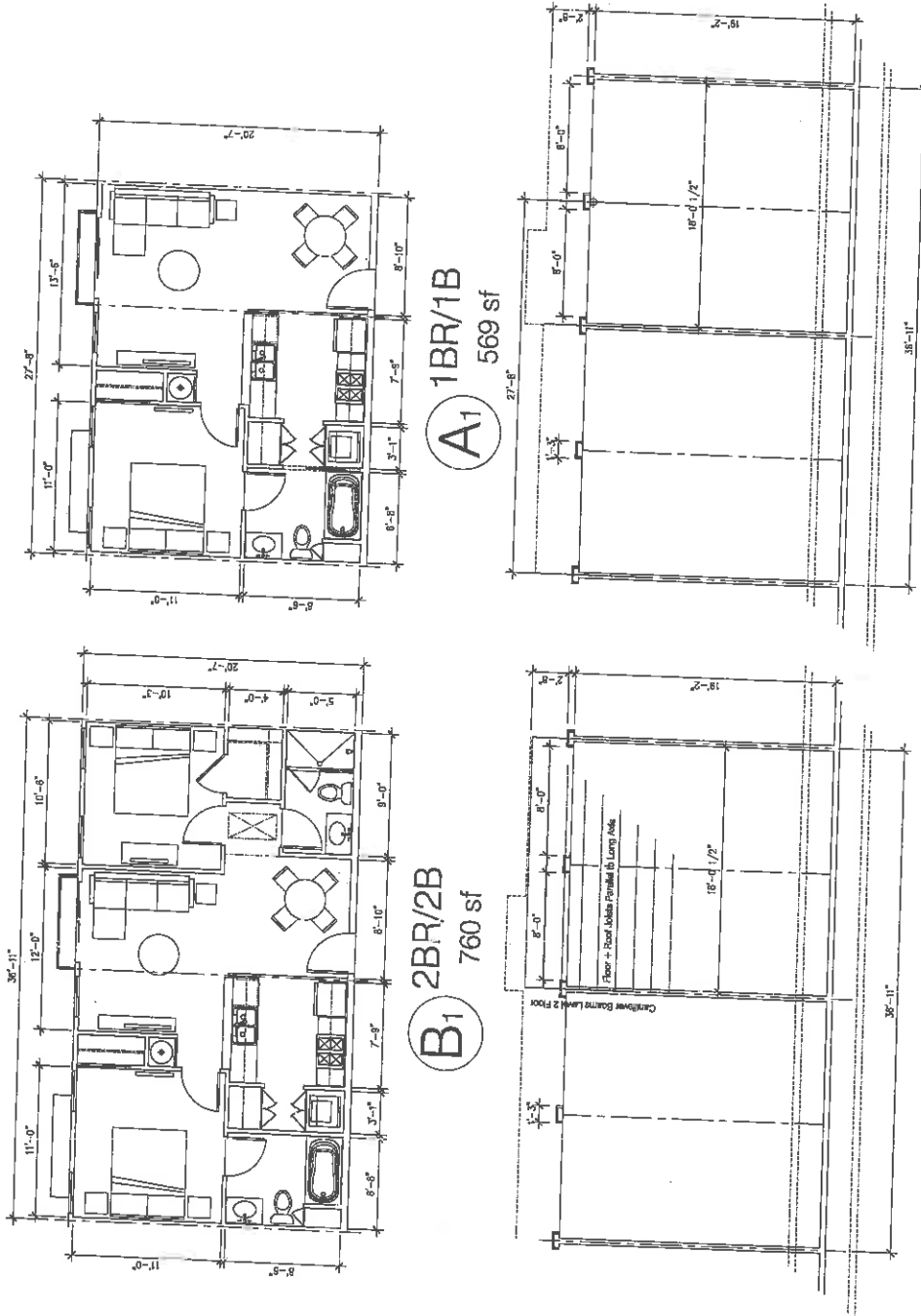
The Park Lofts at Library Village
National City, California
National City Boulevard at 16th Street

Redwood
Architect
3116 La Jolla Village
San Diego, CA 92104
619 736 8421

Dwelling Unit Floor Plans
Park Lofts / National City, California

Scale: 1/8" = 1'-0"

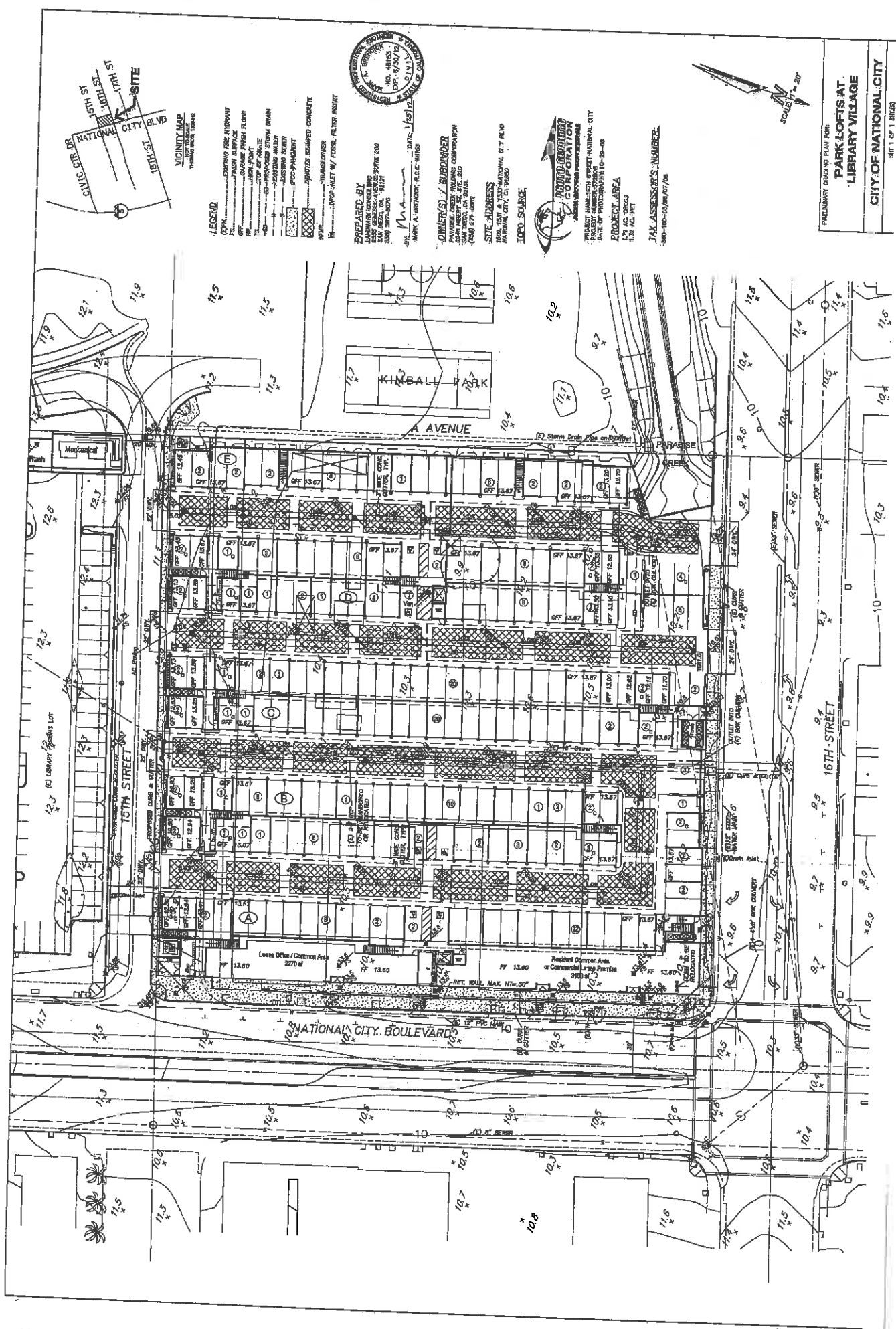




Dwelling Unit Floor Plans

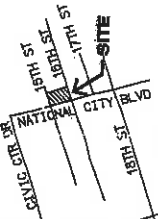
Park Lofts / National City, California

Scale: 1/4" = 1'-0"



PRELIMINARY GRADING PLAN FOR:
**PARK LOFTS AT
LIBRARY VILLAGE**
CITY OF NATIONAL CITY
SHEET 1 OF 1 SHEETS

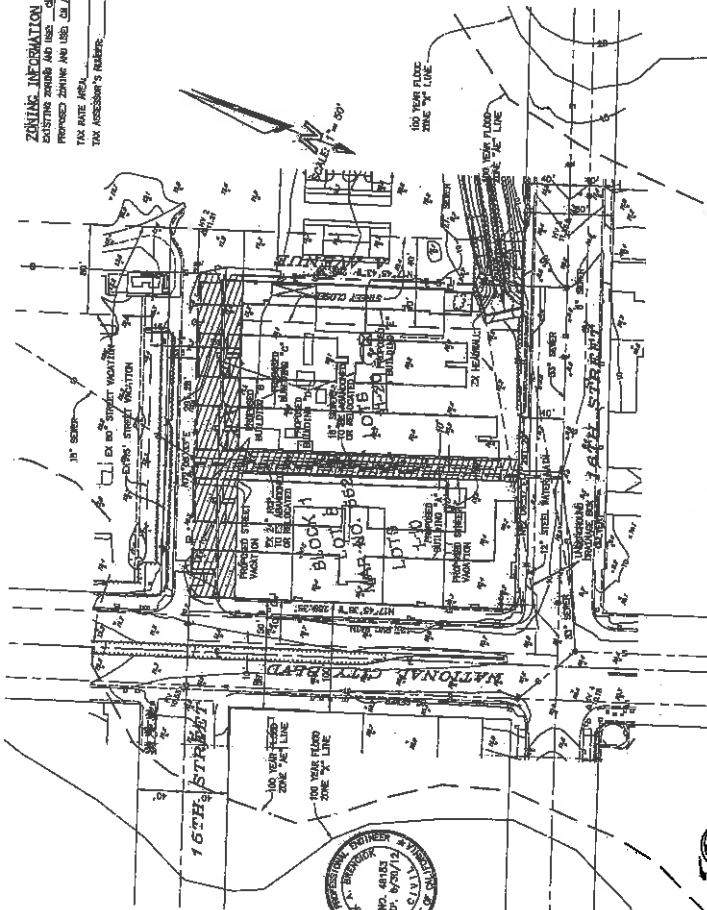
CITY OF NATIONAL CITY
PARK LOFTS AT LIBRARY VILLAGE
TENTATIVE MAP NO. _____
CASE NO.: S-2006-15



VICINITY MAP
NOT TO SCALE
THOMAS BROWN TRACER

LEGEND
EXISTING CONTIGUOUS
BANKWAY LINE
BUILDING LINE
SEWER MAIN
100-YEAR FLOOD "46" LINES
PROPOSED STREET VACATION

ZONING INFORMATION
EXISTING ZONING AND USE: CM / AUTO RETAIL
PROPOSED ZONING AND USE: CM / COMMERCIAL LOT
TAX MAP NO.: 1-0-0-0
TAX ASSESSOR'S NUMBER: 000-100-00/00/00/00



OWNER(S) / SUBMITTER
THOMAS BROWN TRACER
2000 LIBERTY ST., SUITE 200
SAN DIEGO, CA 92101
(619) 277-0002

DATE: 1/15/16
PREPARED BY
THOMAS BROWN TRACER
2000 LIBERTY ST., SUITE 200
SAN DIEGO, CA 92101
(619) 277-0002

SITE ADDRESS
1600 NATIONAL CITY BLVD
NATIONAL CITY, CA 92101

LEGAL DESCRIPTION
LOT 1, TRACT 1, IN THE QUARTER
SECTION 16 IN RANGE 1, IN THE
CITY OF NATIONAL CITY, COUNTY OF SAN
DIEGO, CALIFORNIA, REFERENCED TO
MAP NO. 100 IN THE OFFICE OF THE COUNTY
CLERK OF SAN DIEGO COUNTY OF JULY 2,
1889

PROJECT AREA
TOTAL PROJECT AREA: 1.46 AC. GROSS, 1.38 AC. NET
AFTER VACATION

TOTAL SOURCE
PROJECTED TOTAL PROJECTED
DATE OF PHOTOGRAPH: 10-28-08

COMMISSION STATEMENT
THIS IS A MAP OF CHANGING THE
PROJECT AS DEFINED IN SECTION 1006 OF
THE STATE OF CALIFORNIA

RESOLUTION NO. 20-2014

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
RECOMMENDING APPROVAL OF MODIFICATION OF A PREVIOUSLY APPROVED
TENTATIVE SUBDIVISION MAP, AND CONSISTENCY REVIEW FOR "PARK LOFTS"
LOCATED AT 1509, 1531, 1535 NATIONAL CITY BLVD.
APPLICANT: PARADISE CREEK HOLDING CORPORATION
CASE FILE NO. 2012-03 S, DSP**

WHEREAS, application was made for approval of a Tentative Subdivision Map for a condominium project, 'Park Lofts,' 1509, 1531, 1535 National City Boulevard & 49 East 16th Street within the City of National City on property generally described as follows:

**LOTS 1 THROUGH 20 IN BLOCK 1 IN THE QUARTER SECTION 154 IN
RANCHO DE LA NACION IN THE CITY OF NATIONAL CITY, COUNTY
OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO.
552 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO
COUNTY OF JULY 2, 1888.**

WHEREAS, the Planning Commission of the City of National City, California, considered said application at duly advertised public hearings held on March 19, 2012 and September 22, 2014, at which time the Planning Commission considered oral and documentary evidence; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2012-03 S, DSP which is maintained by the City and incorporated herein by reference; along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence introduced in the staff report and public hearing for said Tentative Subdivision Map support the following findings:

1. The project is consistent with the Downtown Specific Plan for which an Environmental Impact Report was certified and Mitigation Measures and a Mitigation Monitoring and Reporting Program were adopted.
2. The proposed map is consistent with the General Plan since it is consistent with and implements the Downtown Specific Plan, which is a further refinement of the goals and objectives of the General Plan.
3. The site is physically suitable for the proposed type of development since the proposed project and all required improvements can be provided on site, and the project would comply with the applicable development standards or has been granted the appropriate exemptions.
4. The site is physically suitable for the proposed density of development since the proposed project and all required improvements can be provided on site, and the project would comply with the applicable development standards or has been granted the appropriate exemptions.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, since the site is was previously developed and is located in a completely urbanized area.
6. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems, since all necessary public services, facilities, infrastructure, and utilities will be provided.
7. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, or such easements will be provided or relocated as required.
8. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6.
9. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources.
10. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on

consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage.

BE IT FURTHER RESOLVED that the Planning Commission has considered that the Environmental Impact Report for the Downtown Specific Plan serves as adequate environmental documentation, together with any comments received during the public review process, and finds on the basis of the whole record that the project was adequately considered by the Environmental Impact Report, which reflects the City's independent judgment and analysis.

BE IT FURTHER RESOLVED that based on the findings hereinbefore stated, the Planning Commission hereby recommends approval of said Tentative Subdivision Map subject to the following conditions:

1. Mitigation Measures. The Tentative Subdivision Map shall be subject to all applicable mitigation measures of the adopted Mitigation Monitoring and Reporting Program of the certified Environmental Impact Report for the Downtown Specific Plan.
2. Approved Exhibit. The Tentative Subdivision Map authorizes the subdivision of the subject property for condominium purposes in conformance with Exhibit A, Case File No. 2012-03 DSP, S, dated 2/6/2012, except as modified by the Conditions of Approval.
3. Consistency Review. The Tentative Subdivision Map shall be consistent with Downtown Specific Plan Consistency Review (2012-03 DSP, S).
4. Landscape Plans. The applicant shall submit landscape and irrigation plans for approval and shall install and construct all improvements pursuant to the approved plans prior to occupancy.
5. Lighting Plans. The applicant shall submit lighting plans for approval and shall install and construct all lighting pursuant to the approved plans prior to occupancy. Lighting shall be designed to provide adequate illumination for safety, security, identification, and direction as well as for landmark visibility of the primary buildings and/or significant features of the project.
6. Sign Program. The applicant shall submit a sign program for approval, and all signs shall be designed and installed pursuant to the approved sign program.
7. Public Art Program. The applicant shall submit a public art program for approval and shall install, construct, or implement the approved public art program prior to occupancy. The installation shall cost no less than a half-percent of the project valuation. The applicant may also pay an in-lieu fee of no less than one percent of the project valuation.

8. Public Improvements. The applicant shall submit improvement plans for all adjacent public rights-of-way for approval. The plans shall be consistent with the Downtown Specific Plan, including the Open Space Framework, the Streetscape Master Plan, and the Design Guidelines. The improvements shall include but not be limited to streets; alleys; curbs and gutter; sidewalks; medians; parkways; landscape; street lights; street furniture; traffic control; parking facilities; utilities; water, sewer, and drainage facilities; and other necessary facilities and infrastructure. The applicant shall install and construct the improvements pursuant to the approved plans prior to occupancy.
9. Engineering Requirements. The applicant shall comply with all engineering requirements, including the listed requirements.
 - a) A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
 - b) The Priority Project Applicability checklist for the Standard Urban Storm-water Mitigation Plan (SUSMP) is required to be completed and submitted to the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP), an approved SUSMP will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
 - c) The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
 - d) All surface run-off shall be collected by approved drainage facilities and directed to the street by sidewalk underdrains or a curb outlet. Adjacent properties shall be protected from surface run-off resulting from this development.
 - e) A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution

and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. The checklists for preparation of the grading plan, drainage plan, and Standard Urban Storm Water Mitigation Plan (SUSMP) are available at the Engineering Department.

- f) A National Pollutant Discharge Elimination System (NPDES) permit is required for discharged of storm water runoff associated with construction activity where clearing, grading, and excavation results in a land disturbance. A construction stormwater permit shall be obtained from the Regional Water Quality Control Board. A copy of the permit shall be given to the City of National City Engineering Department prior to any work beginning on the project.
- g) A sewer permit will be required. A sewer study shall consider the adequacy of the existing sewer system. The sewer study recommendations shall be part of the Engineering Department Requirements. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 8-inch in size with a clean out and the installation of a manhole in the street. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral. A sewer main runs through the alley that shall be addressed or relocated if building is to be constructed in this location.
- h) A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
- i) The deteriorated portions of existing street improvements (including sidewalks and curbs) along the property frontages shall be removed and replaced, *unless other funding sources become available that allow alternative options.*

- j) A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
- k) Street improvements shall be in accordance with City Standards. Abandoned driveway aprons shall be replaced with curbs, gutters, and sidewalks.
- l) A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership of the property.
- m) A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
- n) An existing 35-foot wide drainage easement reserved to the City of National City exists at the south side of the property. No building encroachment will be allowed within the easement. The easement shall be shown on the grading plans and on the final map
- o) The Final Map shall meet all of the requirements of the Subdivision Map Act, and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information and monumentation.
- p) The subdivider shall submit an approval letter from Sweetwater Authority stating fire flow requirements have been met. If additional improvements are needed, the developer shall enter into an agreement for the water improvements with the Authority prior to obtaining the Final Map approval.
- q) The developer shall bond for the monumentation, the public improvements and the on-site grading, drainage, landscaping, and other improvements through an agreement with the City prior to the approval of the Final Map.
- r) The proposed street and alley vacation at this site shall be approved by the City council prior to the final map approval. City vehicle access shall be provided to maintain the park.
- s) All utility distribution facilities within the boundaries of the subdivision, and within the half street abutting the new subdivision, shall be placed underground.

- t) The Final Map shall be recorded prior to issuance of any building permit.
 - u) All new property line survey monuments shall be set on private property, unless otherwise approved.
 - v) The Final Map shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.
10. Public Works Requirements. The applicant shall comply with all public works requirements, including the listed requirements.
- a) The developer shall replace the existing sidewalks adjacent to the project.
 - b) The developer shall replace the existing street trees with a tree palette commensurate with the building's architecture and adjacent landscaping theme.
 - c) The developer shall install streetlights along street and paseo frontages.
 - d) Vine type plants shall be planted to cover the wall along the east project boundary, and shall be maintained by the project HOA.
11. Fire Department Requirements. The applicant shall comply with all Fire Department requirements, including the listed requirements.
- a) The project shall be built to code. The National City Fire Department utilizes the 2013 edition of the California Fire Code and the current edition of the National Fire Protection Association (NFPA) Codes and Standards.
 - b) Sprinkler piping and fire detection devices shall be automatically supervised where more than 20 sprinklers are on the system per NFPA 13, Chapter 7 Section 7.3.2.4 Supervision. A fire alarm system is required.
 - c) Standpipes shall be required at ground level due to zero emergency access. A fire protection engineer shall be contacted for direction on design.
 - d) Circumferential travel, including the area containing tennis courts and the skate park, is required. If no circumferential travel is provided, emergency access through buildings will be required per the CFC Chapter 5 and Appendix D. This comment shall be memorialized on all submitted plans as discussed in meeting which occurred on January 4, 2012 at City Hall.

- e) If a sprinkler and/or alarm system is required, plans for such systems shall be submitted directly to the National City Fire Department.
- 12. Building Department Requirements. Plans submitted for construction shall comply with the 2013 editions of the California Building, Electrical, Mechanical, Plumbing, Energy, Fire, Residential and Green Codes.
- 13. Police Department Requirements. The applicant shall comply with all Police Department requirements, including the listed requirements.
 - a) The project shall comply with the crime free multi-housing criteria and crime prevention through environmental design standards.
 - b) The project shall incorporate a camera system for security monitoring purposes of the common open public spaces and retail areas of this project. Such camera system should be compatible to operationally integrate with the current Police Department security camera project scheduled for various areas throughout the City.
- 14. Covenants, Conditions, and Restrictions. The applicant shall submit a declaration of covenants, conditions, and restrictions for approval prior to approval of a final subdivision map. The CC&Rs shall run with the land, clearly setting forth privileges and responsibilities, including maintenance, involved in the common ownership of buildings, streets, parking areas, walks, open spaces, recreation areas, utilities, and common areas and facilities. The CC&Rs shall allow the City of National City the authority but not the obligation to assume the maintenance of the property and assess the full cost, including overhead costs, as a lien against the property if said property is not adequately maintained pursuant to the CC&Rs. The CC&Rs shall include a determination that the funds provided by the maintenance provisions will be sufficient to cover all contemplated costs. The CC&Rs shall be approved as to form and content by the City Attorney of the City of National City.
- 15. Property Owners Association. A corporation, association, property owners' group, or similar entity shall be formed with the right to assess properties that are jointly owned with interests in the common areas and facilities in the entire development to meet the expenses of such entity, and with authority to control, and the duty to maintain, all such common areas and facilities. Such entity shall operate under recorded CC&Rs approved by the City of National City, which shall include compulsory membership of all property owners and flexibility of assessments to meet changing costs of maintenance, repairs, and services.
- 16. Landscape Maintenance District. Pursuant to the Implementation Program of the Downtown Specific Plan, if a landscape maintenance district is formed, the subject property shall be incorporated into the landscape maintenance district and assessed as provided for in the district for purposes for which the district was formed.

17. Parking District. Pursuant to the Implementation Program of the Downtown Specific Plan, if a parking district is formed, the subject property shall be incorporated into the parking district and assessed as provided for in the district for purposes for which the district was formed.
18. Acceptance of Conditions. The applicant and property owner shall sign and have notarized an Acceptance Form acknowledging and accepting all conditions of approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of approval of this permit shall automatically terminate this permit. The applicant shall record a Notice of Restriction on Real Property with the San Diego County Recorder. The Notice of Restriction shall provide that the conditions of approval of this permit are binding on all present and future interest or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney of the City of National City and signed by the City Manager of the City of National City prior to recordation.
19. Expiration. The approved Tentative Subdivision Map shall expire two years after the effective date of approval unless prior to that date a request for a time extension not exceeding three years has been filed as provided by Municipal Code Section 17.04.070.
20. Plans submitted for construction permits shall be in compliance with all required parking standards as set forth in the Land Use Code and/or the Downtown Specific Plan.
21. A faux storefront/window treatments shall be installed along the south and north elevations of each building to the extent feasible.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of September 22, 2014 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



Item no. **5**
September 22, 2014

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR A FIBERGLASS MANUFACTURING BUSINESS (MCCALLUM SURFBOARDS) LOCATED AT 3101 HOOVER AVENUE.

Case File No.: 2014-12 CUP

Location: East side of Hoover Avenue south of West 30th Street.

APN: 562-220-40

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Jeff McCallum

Property Owner: 2W3M, LLC

Parcel size: 0.54 acres

Combined General Plan/
Zoning designation: Light Manufacturing – Coastal Zone (ML-CZ)

Adjacent Land Use
/Zoning:

North: Restaurant Supply Warehouse / ML-CZ

East: industrial use across Hoover Avenue / ML-CZ

South: Commercial truck rental / ML-CZ

West: Auto storage/sales (on National City Blvd.) / ML-CZ

Environmental review: Exempt pursuant to CEQA Section 15301 (Existing Facilities)



BACKGROUND

Site Characteristics

The project site is an approximately 23,500 square-foot property on the east side of Hoover Avenue. The property is developed with a 6,000 square-foot industrial building and a large storage lot with several parking spaces marked and room for several more. The applicant is in negotiations to purchase the building.

The lot is shown on the current zoning map as being in the Light Industrial (IL) zone, and also within the Coastal Zone. The recent Land Use Code Update is not active in the Coastal Zone. This is due to the fact that the necessary changes in the City's Local Coastal Plan have not been approved by the Coastal Commission. Therefore, the City's previous zoning would generally apply. In this case the zone would have been ML-CZ (Light Manufacturing – Coastal Zone) – essentially the same zone.

Proposed Use

The proposed use of the property is a surfboard manufacturer and office/showroom. The fiberglass manufacturing portion would occur in approximately 1,000 square feet of the building, with 400 square feet used for fiberglass preparation, application, and finishing activities. The remainder of the building would be used for manufacturing of surfboard "blanks" (the foam core of a surfboard), shaping, storage and a showroom in the front of the building. The latter uses would involve no chemical or fiberglass activities. The facility, which would employ five employees, would be in operation from 9:00 a.m. to 7:00 p.m. Monday to Saturday. The showroom would be open by appointment only from 10:00 a.m. to 2:00 p.m. Monday to Friday. The company produces handmade "boutique" surfboards, mostly collected as art pieces. Expected production is approximately six to ten boards per week.

Analysis

The Land Use Code requires a Conditional Use Permit (CUP) for activities involving fiberglass manufacturing in the MM-CZ zone. "Fiberglass Boat Building" is a conditionally-allowed use in Use Group 22 of Appendix D of the code. However, this use has historically been applied by the Commission to uses involving fiberglass manufacturing of any products.

Concerns surrounding fiberglass fabrication uses typically relate to environmental health. The business is currently in operation in the City of San Diego, but is looking to move and expand. As an existing surfboard manufacturer, McCallum Surfboards is registered with the Department of Toxic Substances Control, which issues EPA (Environmental Protection Agency) numbers to businesses dealing with toxic substance. Acetone waste is considered a toxic substance. In this case, the applicant's acetone use is minimal. The business only stores one 5-gallon container of acetone on site and generates roughly one 35-gallon drum of acetone waste every three to four

months. The waste is professionally disposed of using a certified disposal company. A condition has been added requiring all necessary local, state and/or federal permits to be procured prior to issuance of a business license. This will ensure that the business operates within accepted and required environmental health standards.

Plans submitted by the applicant show 12 parking spaces on site. Per Code requirements, 10,000 square feet of manufacturing and related uses would require one space per 800 square feet of floor area, or 8 spaces, less than is shown. There is also more room for parking behind the building. No traffic issues are expected due to the limited production capacity of the business, and the existing street network is more than capable of handling the traffic generated by the use.

CEQA

The property has historically been used by industrial businesses that engage in fabrication of items from custom lighting, to wrought iron fencing, to marine-related components. As the previous uses and current zoning are industrial in nature, and since the proposed business is a light industrial use, the project qualifies for an exemption from CEQA (California Environmental Quality Act) pursuant to Section 15301 (Existing Facilities). This exemption is appropriate in the project will result in no changes to the physical environment, since the proposal is an industrial use to be located completely within an existing industrial building, and since all required federal, state, and local permits have or will be procured prior to business operation.

Coastal Zone

Although the property is located in a generally categorically exempted area within the Coastal Zone, the CUP triggers the need for a Coastal Development Permit. The project area is not within an area of retained Coastal Commission permit jurisdiction or in an area of appeal jurisdiction. As part of this discretionary review, the Planning Commission must find that granting of the Coastal Development Permit is consistent with and implements the Certified Local Coastal Program. The project is compliant with this finding in that it involves an industrial use, which is conditionally-allowed in the ML-CZ zone, and will not prohibit coastal access or obstruct views.

Conditions of Approval

Comments were received from the Building and Fire Departments. Comments focused on Building and Fire Code requirements, and are included as Conditions of Approval.

Summary

Manufacturing is an accepted and appropriate use in the Light Manufacturing zone, and the addition of a fiberglass manufacturing business will contribute to the viability of area industry, an important component of local commerce. Conditions of Approval will reduce the potential for adverse effects on area uses.

RECOMMENDATION

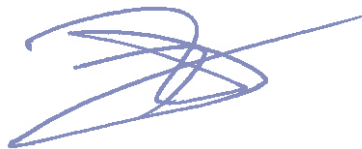
Approve 2014-12 CUP based on attached findings.

ATTACHMENTS

1. Recommended Findings for Approval
2. Recommended Conditions of Approval
3. Location Map
4. Site Photos
5. Public Hearing Notice (Sent to 5 property owners)
6. Notice of Exemption
7. Applicant's Plans (Exhibit A, Case File No. 2014-12 CUP dated 8/5/2014)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL
2014-12 CUP – McCallum Surfboards

1. That the site for the proposed use is adequate in size and shape, since the proposed use will be within an existing building and since no expansion of the building is proposed.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic potentially generated by the proposed use, since the site has access to West 30th Street and Hoover Avenue, both collector streets with direct access to National City Blvd., an arterial street, and two freeways (I-5 and SR-54).
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the use is contained wholly within an existing building and the use is consistent with an industrial use which is permitted in the ML zone.
4. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will provide for the relocation of a manufacturing use, a conditionally-allowed use in the MM-CZ zone, into National City, thus generating taxes for the City.
5. That the granting of this Conditional Use Permit is consistent with and implements the requirements of the Local Coastal Program, since the business is located in a categorically excluded area and conforms with provisions of the Land Use Code.

RECOMMENDED CONDITIONS OF APPROVAL

2014-12 CUP – McCallum Surfboards

General



1. This *Conditional Use Permit* authorizes a surfboard manufacturing business to operate within a 6,000 square-foot industrial building located at 3101 Hoover Avenue. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2014-12 CUP dated 8/5/2014.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
3. *Within four (4) days* of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical.

Fire

6. Plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
7. Occupancy shall be evaluated for fire sprinkler and fire alarm coverage, as the working of Styrofoam creates finely divided combustible waste or finely divided combustible materials.

- 
- 
8. A fire alarm and fire sprinkler system may be required due to the storage and application of flammable substances, per Table 903.2.11.6 of the California Fire Code - 2013 Edition.
 9. Mechanical ventilation intended to capture combustible aerated waste may be required per the California Building Code 2013 Edition.
 10. Storage racks shall be evaluated by the National City Building Department for intended use.
 11. A commodities report shall be required upon submittal of project plans. The report shall be furnished to the National City Building or Fire Department upon submittal of construction permits.
 12. An occupancy load shall be required for the business, which shall be submitted to the National City Building Official. A site map describing correct and current interior measurements of the space shall be provided.

Planning

13. All necessary local, state and/or federal permits to be procured prior to issuance of a business license to ensure that the business operates within accepted and required environmental health standards.



Subject Parcel



Zone Boundary



0 75 150 300 Feet

APN:
562-220-40

Planning Commission Location Map

2014-12 CUP





Hoover Ave looking south

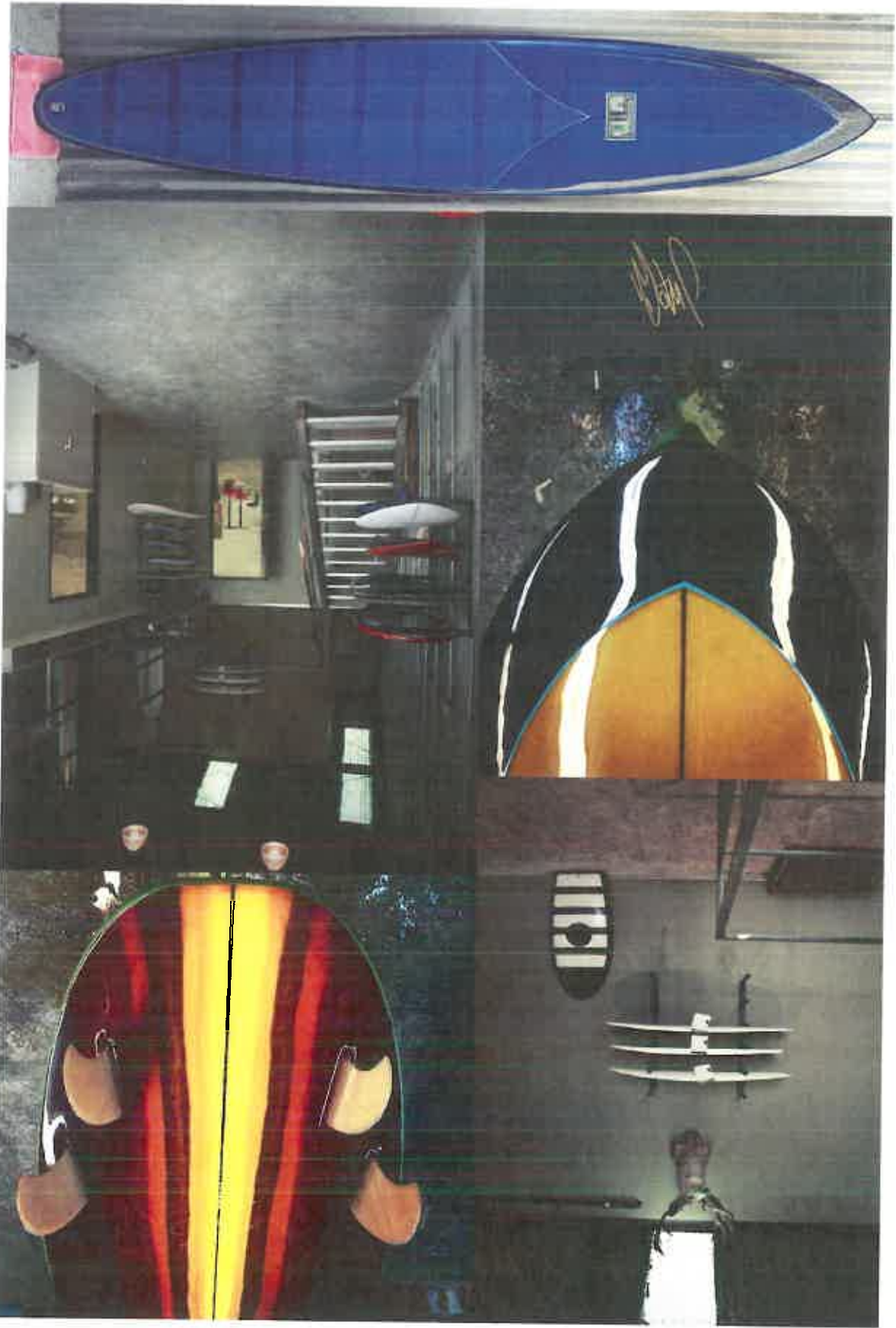


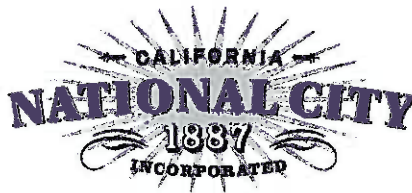
Hoover Ave looking north



Looking west from subject site







CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT
FOR A FIBERGLASS MANUFACTURING BUSINESS (MCCALLUM SURFBOARDS)
LOCATED AT 3101 HOOVER AVENUE IN THE COASTAL ZONE.

CASE FILE NO.: 2014-12 CUP

APN: 562-220-40

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, September 22, 2014**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Jeff McCallum)

The applicant proposes to operate a surfboard manufacturing facility and office/showroom. The fiberglass manufacturing portion would occur in approximately 1,000 square feet of the 6,000 square-foot building, with 400 square feet used for fiberglass preparation, application, and finishing activities. The facility would be in operation from 9:00 a.m. to 7:00 p.m. Monday to Saturday.

The time within which judicial review of the City Council action must be sought on this item is governed by Section 1094.6 of the California Government Code of Civil Procedure (CCP). The right to appeal a decision of the City Council is governed by Section 1094.5 of the CCP and Chapter 1.42 of the City of National City Municipal Code.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **September 22, 2014**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Executive Director



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2014-12 CUP

Project Location: 3101 Hoover Avenue, National City, CA 91950

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit application for a surfboard manufacturing business within an existing 6,000 square-foot industrial building.

Applicant:

Jeff McCallum
1832 Fort Stockton Drive
San Diego, CA 92103

Telephone Number:

(858) 405-7856

Exempt Status:

Categorical Exemption. Class 1 Section 15301 (Existing Facilities)

Reasons why project is exempt:

The project will result in no changes to the physical environment, since the proposal is an industrial use to be located completely within an existing industrial building, and since all required federal, state, and local permits have or will be procured prior to business operation.

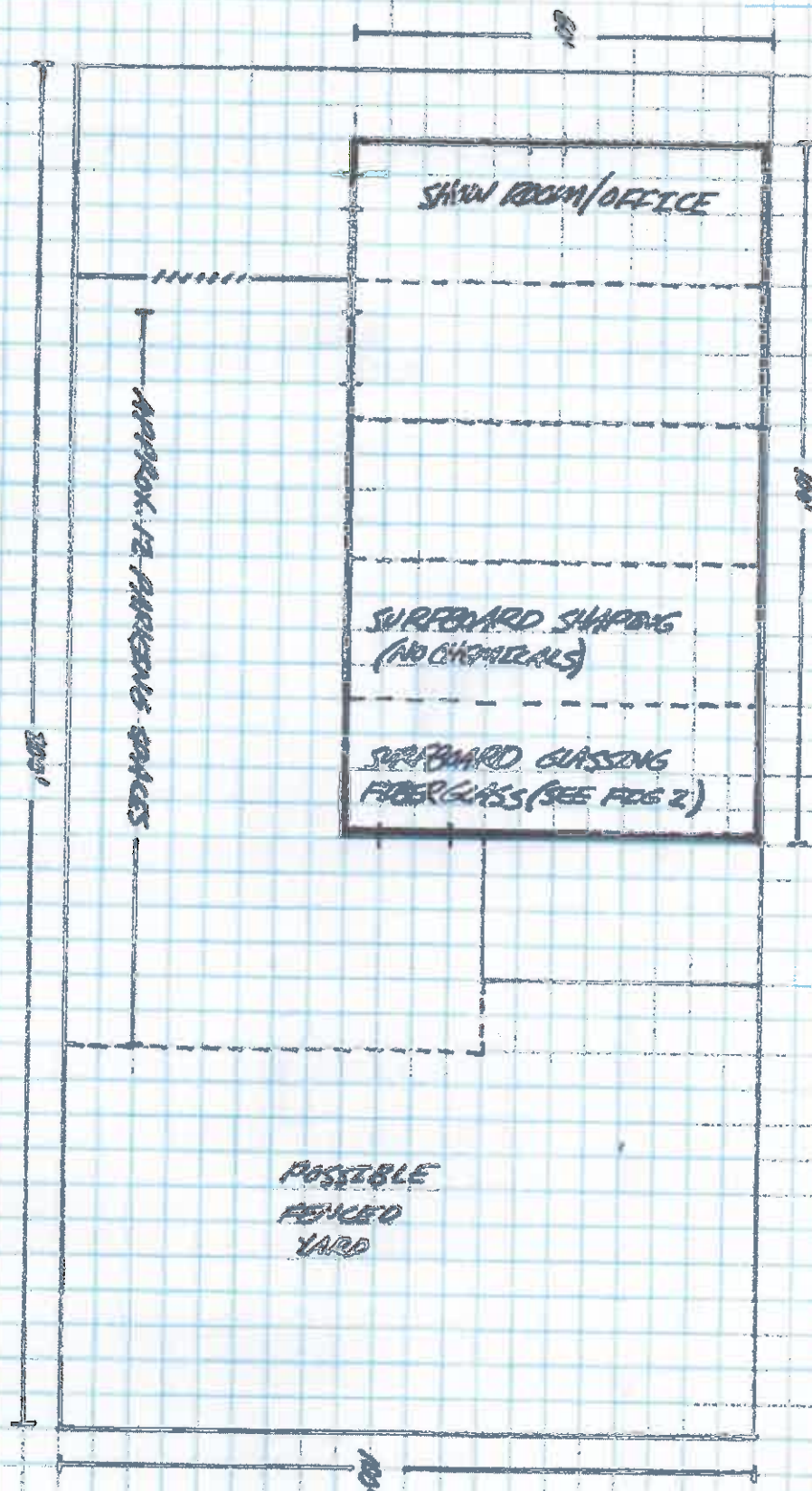
Date:

MARTIN REEDER, AICP
Principal Planner

HOOVER AVE

□ = 5 sq ft

BUILDING IN BOLD
LOT OUTSIDE PERIMETER FENCE LINE



3101 SITE MAP, LOT 1 BUILDING (SEE 2)

SURFBOARD CASES (FIG. 2)

SANDON'S ROOM - FIBERGLASS DUST CONTAINED W/ EXCRETION
 POLISH ROOM - DUST ALSO CONTAINED W/ EXCRETION
 WET ROOM - 55 GAL. DRUM ADJUSTED (SDN/ SUMAR 24944)
 5 GALS PALE ACETONE
 BOTH STORED AS RECOMMENDED BY FIRE DEPARTMENT



□ = 25 sq ft

RESOLUTION NO. 21-2014

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR A FIBERGLASS
MANUFACTURING BUSINESS (MCCALLUM SURFBOARDS) LOCATED AT 3101
HOOVER AVENUE.
APPLICANT: JEFF MCCALLUM
CASE FILE NO. 2014-12 CUP**

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a fiberglass manufacturing business (McCallum Surfboards) located at 3101 Hoover Avenue, at a duly advertised public hearings held on September 22, 2014, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2014-12 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on September 22, 2014, support the following findings:

1. That the site for the proposed use is adequate in size and shape, since the proposed use will be within an existing building and since no expansion of the building is proposed.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic potentially generated by the proposed use, since the site has access to West 30th Street and Hoover Avenue, both collector streets with direct access to National City Blvd., an arterial street, and two freeways (I-5 and SR-54).
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the use is contained wholly within an existing building and the use is consistent with an industrial use which is permitted in the ML zone.

4. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will provide for the relocation of a manufacturing use, a conditionally-allowed use in the MM-CZ zone, into National City, thus generating taxes for the City.
5. That the granting of this Conditional Use Permit is consistent with and implements the requirements of the Local Coastal Program, since the business is located in a categorically excluded area and conforms with provisions of the Land Use Code.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This *Conditional Use Permit* authorizes a surfboard manufacturing business to operate within a 6,000 square-foot industrial building located at 3101 Hoover Avenue. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2014-12 CUP dated 8/5/2014.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
3. *Within four (4) days* of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical.

Fire

6. Plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.

7. Occupancy shall be evaluated for fire sprinkler and fire alarm coverage, as the working of Styrofoam creates finely divided combustible waste or finely divided combustible materials.
8. A fire alarm and fire sprinkler system may be required due to the storage and application of flammable substances, per Table 903.2.11.6 of the California Fire Code - 2013 Edition.
9. Mechanical ventilation intended to capture combustible aerated waste may be required per the California Building Code 2013 Edition.
10. Storage racks shall be evaluated by the National City Building Department for intended use.
11. A commodities report shall be required upon submittal of project plans. The report shall be furnished to the National City Building or Fire Department upon submittal of construction permits.
12. An occupancy load shall be required for the business, which shall be submitted to the National City Building Official. A site map describing correct and current interior measurements of the space shall be provided.

Planning

13. All necessary local, state and/or federal permits to be procured prior to issuance of a business license to ensure that the business operates within accepted and required environmental health standards.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of September 22, 2014, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRMAN